

ETHIOPIA'S TROUBLED SITUATION

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN
RIGHTS AND INTERNATIONAL OPERATIONS

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

MARCH 28, 2006

Serial No. 109-165

Printed for the use of the Committee on International Relations



Available via the World Wide Web: http://www.house.gov/international_relations

U.S. GOVERNMENT PRINTING OFFICE

26-776PDF

WASHINGTON : 2006

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON INTERNATIONAL RELATIONS

HENRY J. HYDE, Illinois, *Chairman*

JAMES A. LEACH, Iowa	TOM LANTOS, California
CHRISTOPHER H. SMITH, New Jersey, <i>Vice Chairman</i>	HOWARD L. BERMAN, California
DAN BURTON, Indiana	GARY L. ACKERMAN, New York
ELTON GALLEGLY, California	ENI F.H. FALEOMAVAEGA, American Samoa
ILEANA ROS-LEHTINEN, Florida	DONALD M. PAYNE, New Jersey
DANA ROHRABACHER, California	SHERROD BROWN, Ohio
EDWARD R. ROYCE, California	BRAD SHERMAN, California
PETER T. KING, New York	ROBERT WEXLER, Florida
STEVE CHABOT, Ohio	ELIOT L. ENGEL, New York
THOMAS G. TANCREDO, Colorado	WILLIAM D. DELAHUNT, Massachusetts
RON PAUL, Texas	GREGORY W. MEEKS, New York
DARRELL ISSA, California	BARBARA LEE, California
JEFF FLAKE, Arizona	JOSEPH CROWLEY, New York
JO ANN DAVIS, Virginia	EARL BLUMENAUER, Oregon
MARK GREEN, Wisconsin	SHELLEY BERKLEY, Nevada
JERRY WELLER, Illinois	GRACE F. NAPOLITANO, California
MIKE PENCE, Indiana	ADAM B. SCHIFF, California
THADDEUS G. McCOTTER, Michigan	DIANE E. WATSON, California
KATHERINE HARRIS, Florida	ADAM SMITH, Washington
JOE WILSON, South Carolina	BETTY MCCOLLUM, Minnesota
JOHN BOOZMAN, Arkansas	BEN CHANDLER, Kentucky
J. GRESHAM BARRETT, South Carolina	DENNIS A. CARDOZA, California
CONNIE MACK, Florida	RUSS CARNAHAN, Missouri
JEFF FORTENBERRY, Nebraska	
MICHAEL MCCAUL, Texas	
TED POE, Texas	

THOMAS E. MOONEY, SR., *Staff Director/General Counsel*

ROBERT R. KING, *Democratic Staff Director*

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

THOMAS G. TANCREDO, Colorado	DONALD M. PAYNE, New Jersey
JEFF FLAKE, Arizona	GREGORY W. MEEKS, New York
MARK GREEN, Wisconsin	BARBARA LEE, California
JOHN BOOZMAN, Arkansas	DIANE E. WATSON, California
JEFF FORTENBERRY, Nebraska	BETTY MCCOLLUM, Minnesota
EDWARD R. ROYCE, California,	EARL BLUMENAUER, Oregon

Vice Chairman

MARY M. NOONAN, *Subcommittee Staff Director*

GREG SIMPKINS, *Subcommittee Professional Staff Member*

NOELLE LUSANE, *Democratic Professional Staff Member*

SHERI A. RICKERT, *Subcommittee Professional Staff Member and Counsel*

LINDSEY M. PLUMLEY, *Staff Associate*

CONTENTS

	Page
WITNESSES	
The Honorable Donald Y. Yamamoto, Deputy Assistant Secretary, Bureau of African Affairs, U.S. Department of State	10
His Excellency Fesseha A. Tessema, Chargé d'Affaires, Embassy of the Federal Democratic Republic of Ethiopia	25
Mr. Andargachew Tsege, Member, Central Council, Coalition for Unity and Democracy Party	60
Meqdes Mesfin, M.D., Daughter of Professor Mesfin Wolde Mariam, Ethiopian Prisoner of Conscience	63
Mr. Obang Metho, Director of International Advocacy, Anuak Justice Council	70
Ms. Lynn Fredricksson, Advocacy Director for Africa, Amnesty International ..	89
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey, and Chairman, Subcommittee on Africa, Global Human Rights and International Operations: Prepared statement	4
The Honorable Donald Y. Yamamoto: Prepared statement	12
His Excellency Fesseha A. Tessema: Prepared statement	31
Mr. Andargachew Tsege: Prepared statement	62
Meqdes Mesfin, M.D.: Prepared statement	67
Mr. Obang Metho: Prepared statement	75
Ms. Lynn Fredricksson: Prepared statement	93
APPENDIX	
The Honorable Betty McCollum, a Representative in Congress from the State of Minnesota: Prepared statement	113
Mesfin Mekonen, on behalf of the Ethiopian-American Council and the Ethiopian National Congress: Statement for the record	113
Oromo Liberation Front Delegation: Statement for the record	115
Mr. Andargachew Tsege, Member, Central Council, Coalition for Unity and Democracy Party: Statement for the record	118
Responses from the Honorable Donald Y. Yamamoto to questions submitted for the record by the Honorable Donald M. Payne, a Representative in Congress from the State of New Jersey	135

ETHIOPIA'S TROUBLED SITUATION

TUESDAY, MARCH 28, 2006

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS
AND INTERNATIONAL OPERATIONS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:05 p.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH OF NEW JERSEY. The Subcommittee will come to order, and we will be joined shortly by my good friend and colleague, Ranking Member Don Payne. But because I know Deputy Assistant Secretary Yamamoto has to make a flight and will be going to Ethiopia from here, we will begin the hearing.

Ethiopia is one of Africa's most populous and influential nations, and has for centuries been the home to numerous diverse religious and ethnic populations.

Last May the East African nation held elections which promised to be a big step forward for Ethiopia's democracy. The election process started out more open than previous elections, with the political opposition able to campaign more freely than ever before. Unfortunately, the window of opportunity presented for democracy closed in a wave of government harassment of opposition parties and ethnic hate speech.

Although there were other problems in the election process, the biggest issue was the delayed release of the vote results. Preliminary results indicated that the opposition did much better than in past elections, increasing the number of Parliamentary seats won from 12 to nearly 200.

However, opposition party coalitions charged that fraud had been committed in many of the races that they did not win. Because the government had failed to release results in the weeks after the election, suspicions rose that the victory by the opposition had been stolen.

The controversy surrounding the 2005 Ethiopian election is a result of a number of factors that created a perfect storm of political discontent, and that created tragic conditions in Ethiopia. The European Union election monitoring team reported serious irregularities, but its impartiality was questioned after the leak of a preliminary EU report which indicated that the opposition parties would win a majority in Parliament based solely on the results in the capital of Addis Ababa.

Periodic statements released by the EU election team were then undercut by statements from the EU diplomats, much as I experienced in my visit to Addis with Greg Simpkins of our Subcommittee last August.

The Government of Ethiopia, by refusing to release all relevant information regarding the election in a timely fashion, created fear that the election had been stolen. International donors worked behind the scenes with the government to create a mechanism to resolve election disputes. However, that mechanism pitted the ruling party and the government-appointed national election board against the opposition parties.

As a result, the opposition lost 90 percent of the challenges it filed, and the government missed its own July 8 deadline for release of election results, furthering the frustration and suspicion.

As for the political opposition, its leaders contributed to this crisis by failing to provide necessary evidence of election fraud in all too many cases. It is not that this evidence may not have existed, but the parties appeared to be unprepared to effectively document what the problems were. Moreover, their refusal to take many of the seats that they won in the election prevented many issues from effectively being addressed in the Parliament, including the appointment of judges and guarantees of freedom of the press.

The suspicions regarding the election were exacerbated by the government's mass arrest of students in Addis in June. Protests were met with gunfire by government forces. It is estimated that as many as 40 persons identified as political activists were killed by government sharpshooters in the capital alone. Broadened arrests put tens of thousands in jail without charge or adequate contact with families or legal counsel.

Further demonstrations in November resulted in at least another 40 persons killed by government forces, this time including those not connected with the political opposition.

The release of the State Department human rights report on Ethiopia is scathing in its description of what is taking place in Ethiopia, stating that, and I quote: "The government's human rights record remains poor, and worsened in some areas."

Among the human rights problems reported by the State Department were limitation on citizens' right to change their government, unlawful killings including alleged political killings, and beatings, abuse, and mistreatment of detainees and opposition supporters by security forces; poor prison conditions, arbitrary arrests and detention of thousands of persons, particularly those suspected of sympathizing with, or being members of, the opposition; detention of thousands without charge and lengthy pretrial detention. Government infringement on citizens' privacy rights, and frequent refusal to follow the law regarding search warrants.

Government restrictions on freedom of the press, arrest, detention, and harassment of journalists for publishing articles critical of the government, and self-censorship by journalists.

Government restrictions on the freedom of assembly, including denial of permits, burdensome preconditions, or refusal to provide assembly halls to opposition political groups. And at times, use of excessive force to disperse demonstrations, and government limitations on freedom of association.

Approximately 16,000 people were released from jail earlier this year, but there is uncertainty about how many more prisoners remain behind bars without being charged, or while awaiting trial whose date has not yet been set.

During my visit to Addis last August I met with Prime Minister Meles and asked him why he had not investigated the June shootings of demonstrators by agents of his government. His response was that the investigation might require the arrests of opposition leaders, and didn't want to do that while the bi-elections were still scheduled.

He went on to tell me that he had dossiers on all of the opposition leaders, and could arrest them for treason whenever he wanted. As a matter of fact, he boasted about that. Thus, the arrests were all but certain, even before the events that ostensibly led to their being incarcerated.

Reportedly, the investigation of the government shootings of demonstrators is now belatedly underway, and we will wait and see. The shootings by government forces and delayed investigations are reminiscent of an earlier incident, the massacre of Anuaks in southwestern Ethiopia beginning in 2003, and continuing until May 2004.

The farming Anuak minority predominate the Gambella Region of Ethiopia, but there have been periodic disputes with the highlanders, who are of the Tigrean and Amaran ethnic groups. According to a Human Rights Watch report at the time, government forces joined with highlanders to kill at least 400 Anuaks in December 2003 alone, and participated in the rape and torture of Anuaks.

Genocide Watch and Survivors Watch International, Rights International, confirmed the events ascribed in the Human Rights Watch report.

The Government of Ethiopia announced last year that trials of government forces responsible for 13 of the Anuak killings had finally begun. However, there is no word yet on the result of those trials. While the government is engaged in such efforts, one hopes it will also investigate reports of the killing last year of 24 members and supporters of the Oromo National Congress and other allegedly politically-motivated killings by government forces in 2005.

Ethiopia has been an important ally of the United States in Africa. And the stability of one of Africa's most populous nations is critical to American policy, especially in the important Horn of Africa region.

However, the violations detailed in the State Department human rights report and in other accounts of independent human rights organizations will only make this nation more vulnerable to civil war, or to a foreign-supported insurgency.

Yesterday a series of explosions in Addis led to the death of one person and the wounding of three others in a blast on a crowded minibus. This is part of a wave of attacks that began in January, and included three explosions earlier this month that wounded three persons at a restaurant, a market, and outside of a school.

America's commitment to promote respect for human rights around the world demands that we examine the current situation in Ethiopia, and that we prevail upon our ally to live up to its

international human rights commitments while this situation can still be salvaged. The discussions the Government of Ethiopia is conducting with its political opposition and with our Government are perhaps good signs, and maybe there is going to be some positive movement.

Other humanitarian gestures, for example the Iber Operation the government has reportedly authorized for opposition leader Hailu Shawel are also important steps in the right direction. However, the current situation calls for more than small steps taken slowly.

If a crisis in Ethiopia is to be averted, and they are already in crisis, reforms investigations and trials must proceed with all deliberate speed. That is why we have convened this hearing today, and why I have introduced H.R. 4423, the Ethiopian Consolidation Act, which we intend to mark up next week.

As I have said many times, friends don't let friends commit human rights abuses. I believe this is a perfect example of why we must follow that dictum.

I yield to Mr. Payne.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

Ethiopia, one of Africa's most populous and influential nations, has for centuries been the home to numerous diverse religious and ethnic populations. Last May, the East African nation held elections, which promised to be a big step forward for Ethiopia's democracy. The election process started out more open than previous elections, with the political opposition able to campaign more freely than ever before. Unfortunately, the window of opportunity presented for democracy closed in a wave of government harassment of opposition parties and ethnic hate speech on both sides.

Although there were other problems in the election process, the biggest issue was the delayed release of vote results. Preliminary results indicated that the opposition did much better than in past elections, increasing the number of parliamentary seats won from 12 to nearly 200. However, opposition party coalitions charged that fraud had been committed in many of the races they did not win. Because the government had failed to release results in the weeks after the election, suspicions rose that a victory by the opposition had been stolen.

The controversy surrounding the 2005 Ethiopian election is the result of a number of factors that created a "perfect storm" of political discontent that has created tragic conditions in Ethiopia.

The European Union election monitoring team reported serious irregularities, but its impartiality was questioned after the leak of a preliminary EU report which indicated that the opposition parties would win a majority in Parliament based largely on results in the capital city of Addis Ababa. Periodic statements released by the EU election team were then undercut by statements from EU diplomats, much as I experienced in my visit to Addis last August.

The Government of Ethiopia, by refusing to release all relevant information regarding the election in a timely fashion, created fear that the election had been stolen. International donors worked behind the scenes with the government to create a mechanism to resolve election disputes. However, that mechanism pitted the ruling party and the government-appointed National Election Board against the opposition parties. As a result, the opposition lost 90% of the challenges it filed, and the government missed its own July 8th deadline for release of election results, furthering the frustration and suspicion.

As for the political opposition, its leaders contributed to this crisis by failing to provide necessary evidence of election fraud in all too many cases. It isn't that this evidence may not have existed, but the parties appeared to be unprepared to effectively document what the problems were. Moreover, their refusal to take many of the seats won in the election prevented many issues from effectively being addressed in the Parliament, including the appointment of judges and guarantees of freedom of the press.

The suspicions regarding the election were exacerbated by the government's mass arrest of students in Addis in June. Protests were met with gunfire by government forces. It is estimated that as many as 40 persons identified as political activists were killed by government sharpshooters in the capital alone. Broadened arrests put tens of thousands in jail without charge or adequate contact with families or legal counsel. Further demonstrations in November resulted in at least another 40 persons killed by government forces—this time including those not connected with the political opposition.

The recently-released State Department human rights report on Ethiopia is scathing in its description of what is taking place in Ethiopia, stating that "the government's human rights record remained poor and worsened in some areas."

Among the human rights problems reported by the State Department were:

- limitation on citizens' right to change their government;
- unlawful killings, including alleged political killings, and beating, abuse, and mistreatment of detainees and opposition supporters by security forces;
- poor prison conditions;
- arbitrary arrest and detention of thousands of persons; particularly those suspected of sympathizing with or being members of the opposition;
- detention of thousands without charge, and lengthy pretrial detention;
- government infringement on citizens' privacy rights, and frequent refusal to follow the law regarding search warrants;
- government restrictions on freedom of the press; arrest, detention, and harassment of journalists for publishing articles critical of the government; self-censorship by journalists;
- government restrictions on freedom of assembly including denial of permits, burdensome preconditions or refusal to provide assembly halls to opposition political groups, and at times use of excessive force to disperse demonstrations, and
- government limitations on freedom of association.

Approximately 16,000 people were released from jail earlier this year, but there is uncertainty about how many more prisoners remain behind bars without being charged or while awaiting a trial whose date is not yet set.

During my visit to Addis last August, I met with Prime Minister Meles Zenawi, and I asked him why he had not investigated the June shootings of demonstrators by agents of his government. His response was that the investigation might require the arrest of opposition leaders, and he didn't want to do that while by-elections were still scheduled. He went on to tell me that he had dossiers on all the opposition leaders and could arrest them for treason whenever he wanted. Thus, their arrests were all but certain even before the events that ostensibly led to their being incarcerated. Reportedly, the investigation of the government shootings of demonstrators is now belatedly underway.

The shootings by government forces and delayed investigation are reminiscent of an earlier incident: the massacre of Anuaks in southwestern Ethiopia beginning in December 2003 and continuing until May 2004.

The farming Anuak minority predominate the Gambella region of Ethiopia, but there have been periodic disputes with the highlanders, who are of the Tigrayan and Amharan ethnic groups. According to a Human Rights Watch report at the time, government forces joined with highlanders to kill at least 400 Anuaks in December 2003 alone and participated in the rape and torture of Anuaks. Genocide Watch and Survivors' Rights International confirmed the events described in the Human Rights Watch report.

The Government of Ethiopia announced last year that trials of government forces responsible for 13 of the Anuak killings had finally begun. However, there is no word yet on the result of these trials. While the government is engaged in such efforts, one hopes it also will investigate reports of the killing last year of 24 members and supporters of the Oromo National Congress and other allegedly politically-motivated killings by government forces in 2005.

Ethiopia has been an important ally of the United States in Africa, and the stability of one of Africa's most populous nations is critical to American policy, especially in the important Horn of Africa region. However, the violations detailed in the State Department human rights report and in other accounts of independent human rights organizations will only make this nation more vulnerable to civil war or a foreign-supported insurgency.

Yesterday, a series of explosions in Addis led to the death of one person and the wounding of three others in a blast on a crowded minibus. This is part of a wave

of attacks that began in January and included three explosions earlier this month that wounded three persons at a restaurant, a market and outside a school.

America's commitment to promote the respect for human rights around the world demands that we examine the current situation in Ethiopia and that we prevail upon our ally to live up to its international human rights commitments while this situation can still be salvaged. The discussions the Government of Ethiopia is conducting with its political opposition and with our government are good signs that some positive movement is possible. Other humanitarian gestures, for example, the eye operation the government reportedly authorized for opposition leader Hailu Shawal, are also an important step in the right direction.

However, the current situation calls for more than small steps taken slowly. If a crisis in Ethiopia is to be averted, reforms, investigations and trials must proceed with all deliberate speed. This is why we have convened this hearing today and why I have introduced H.R. 4423—the Ethiopia Consolidation Act, which we intend to mark-up next week.

As I have said many times, “Friends don’t let friends commit human rights abuses.” This is a perfect example of why we must follow that dictum.

Mr. PAYNE. Thank you very much, and let me thank the Chairman for calling this very important hearing. And as we know, Ethiopia is one of the important countries in the world, and indeed in Africa. And so I look forward to this important hearing and, as we indicated, to legislation which will be coming up in the next week or two.

I certainly think that this important hearing is at the right time, because there is a crisis in Ethiopia going on as we sit. And we are also in a region where there are forgotten people in Somalia, for example, where a government is attempting to put itself together, but is being ignored by most of the world leaders. They are asking for guidance as, once again, warlords have taken to the streets of Mogandishu.

And so the Horn of Africa is indeed an area where there is a tremendous amount of problems. It is an area that is very important; however, generally neglected. It is an area that really became the killing fields in the United States’ war against communism, which was a noble war, where the USA was fighting against the Warsaw Pact countries of the Soviet Union. However, unfortunately, the only killings were primarily in Africa, except for the later conflict that escalated into war in Vietnam.

But in African country after African country you had to pick your side. You had to be with the United States or with the Soviet Union. And as countries gained their independence, they then had to make a choice that had absolutely nothing to do with their progress, whether you were for the allies, or whether you were for the Warsaw Pact nations under USSR.

And so as a result, democracy was thwarted. Somalia’s dictator changed from United States to Soviet, or Soviet to United States. The Government of Ethiopia went from pro-United States to pro-Soviet under Mogandishu. And so unfortunately for Africa, many of the problems that they are confronted with today, first of all there was long-time colonization, although, as we know, Ethiopia was never colonized. As a matter of fact, Ethiopia was the first African country to defeat a colonizer, and it gave many of us African-Americans a great deal of pride that an African nation, which did not have the weapons of war that the European power had, was able to fight and keep its independence.

And so there is a tremendous amount of interest, even African-Americans, during that war, participated. Many tried to join the

armies of Ethiopia, but were restricted by our Government. It was even, unfortunately there were race riots between Americans and Italians in New York because of the invasion of Italy to Ethiopia there. It was Colonel John C. Robinson, the Brown Condor, who helped establish the Ethiopian National Air Force, an African-American who went there, and Colonel Herbert Fauntleroy Julian called the Black Eagle, awarded the Abyssinian citizenship and rank of Colonel by the Emperor, Haile Sellasie, in the 1930s, where he flew the Emperor around with substandard planes bought from European countries.

And so there is a tremendous interest in Ethiopia. It is not phone calls of some constituents or what group is most vocal in this town or another town at this time, Atlanta or Houston or in Washington. It is not about friends who may be business people who you know, and who come with a one-sided issue.

And so I hope that as we deal with Africa in general, that we will be able to look at the overall picture. My first visit in 1973, when I went to Walu Province up in Desi to try to help feed the people in that unknown famine that happened when I was supposed to meet with the Emperor, but he was unable to make the meeting. And a good friend, Mr. Destu Germa who worked for the YMCA of Ethiopia, was taking me around as we tried to feed the people.

And so my interest in Ethiopia with the deposing of the Emperor, and the putting-in head of state, His Excellency Necha Nmecatcha Mekonen, who tried to lead the country but was executed with 59 other people as the Government of Gamingus took over. And so, as we take on this issue, I think that the more thorough we are about the overall situation, I think the better that we are.

I certainly would like to recognize the tireless work of Donald Yamamoto and his team at the State Department. Mr. Yamamoto has been very actively engaged on multiple fronts to ensure peace and stability in the region, where he will be heading out perhaps even before I finish my statement, I hear. But maybe wait, and I will try to rush through. I would like to commend you for the work that you have done, not only in Ethiopia, but in Iatria and the entire Horn.

I would also like to welcome the other witnesses and thank in particular Dr. Meqdes Mesfin, the daughter of Professor Mesfin, who is currently suffering in prison. I thank you, Ms. Mesfin, for accepting our invitation to testify with such short notice.

Why do I care about Ethiopia and Africa in general? As I mentioned, Ethiopia has a strong history that I am proud of and respect. Let me be clear. I did not get involved in African affairs because of constituency demands or interests, but Africa has been a passion to me of many decades. As I mentioned, not only there, but we are celebrating next year the independence of Ghana, which was the first country in sub-Saharan Africa to become independent 50 years ago.

After all, this is one place where I feel at home, when I visit Ethiopia, a country, as I mentioned, that has a proud history of never being colonized, and has been a strong ally through the years to the United States. And actually, the Emperor, in his address to the League of Nations in 1933, was one of the outstanding speeches

that we see on the History Channel, and should make all of us proud.

The people of Ethiopia have suffered for decades, even under the Emperor. And today, millions live in abject poverty and difficult conditions. The deterioration of human rights conditions in Ethiopia is not limited to the capitol, Addis. Conditions in other regions, including Somalia, the Somalia region and Oromo regions are also very bad.

The attention in the United States has been focused on the illegal and violent attacks against civilians last year following the elections in Ethiopia, where dozens of people were killed and many more wounded. Thousands were detained; though many released, hundreds still remain in prison. More than 100 elected members of the Parliament, human rights activists, journalists, and prominent leaders were arrested. The same people the government was negotiating with weeks earlier are now charged with treason and genocide. Some of these people I have known for years, and I have met a number of them last year in my visit to Ethiopia.

Let me say a few words about two people I know well, and are now languishing in prison. The first person is Professor Mesfin.

I met Professor Mesfin over a decade ago in his office in Addis. A well-respected human rights advocate, Professor Mesfin founded the Human Rights Council in the early 1990s. He stayed in Ethiopia under difficult conditions for decades to help his people. Unfortunately, the reward at his old age is imprisonment.

The second person is a businessman named Mr. Alazar. I heard about Mr. Alazar from a friend, an internationally respected banker. At the request of the government, he returned to Ethiopia to reform the banking sector. He has been in prison for 5 years.

On several of my visits I visited him in prison, the last time 2 years ago, to assure him that we are with him, and to also see the conditions in the jail where many others are languishing. A few weeks ago he was once again brought before the court, only to be told that the judge resigned. He left a family and his newborn child here in the United States to try to assist the Government of Ethiopia, and as a result he still languishes in prison. This is unfortunate, and it is wrong.

Last May the elections in Ethiopia in general were better organized, more competitive and transparent this time, certainly compared to the election, the two past elections, although there were definitely some problems. It is important to recognize this important development and advances made, and show our appreciation to those Ethiopians who pushed for such elections, and who dedicated their time and resources for such an outcome.

As a matter of fact, the opposition I think went from about 15 seats to close to 200, which indicated that there was certainly, in some areas, pretty fair elections, because you would not have seen that tremendous increase, especially in Addis. The negotiations between the government and the opposition led to such an important outcome.

I introduced a bill with my colleagues to push for electoral transparency. And I visited Ethiopia two times last year, both meeting with the opposition, all of the opposition groups, encouraging them to take their seats in Parliament since people went out

and elected them, and felt that the responsibility of the opposition was to go into Parliament and to make their voices heard.

The government mishandling of the post-election period and the brutal killings of demonstrators and imprisoning of their leaders diminished the gains made earlier. While the majority of the elected parliamentarians have taken their seats and important measures have been taken in recent months, the prisoners must be released, and a transparent investigation into the killings should be undertaken immediately.

We must remember that governance responsibilities and democracy do not rest solely on the government. The opposition must also play a constructive role and peaceful role, as with all opposition, and keep pressure on the government in a lawful manner. That will make democracy flourish.

Ethiopia faces tremendous challenges. Peaceful implementation of the Algiers Agreement is vital. The war against HIV and AIDS, poverty, and recovering humanitarian crisis are certainly areas that need our continued strong engagement. Peaceful resolution of unresolved conflicts is key, especially in the Oromo and Somalia regions. I recognize the prime ministers and the OLF's statement for dialogue, and this is a positive step. And we have to have dialogue in order to avoid conflict.

In conclusion, our priorities should always be to help the suffering; to try to end poverty, to prevent war, and to promote democracy and respect for human rights. Excessive use of force, rhetoric about a revolution from a distance, while ignoring the plight of other Ethiopians, and attempting to frustrate and intimidate Members of Congress will not solve the problems that exist in Ethiopia.

The little we do as individuals go a long way. Helping the families of those killed and wounded, visiting prisoners, and striving for the long-term stability of the country are pivotal.

It is important to write letters in protest and pass legislation. But what really matters most is what happens there in Ethiopia. Whether the quality of life will improve for a child, whether employment will be gained for a person, whether housing will be improved, and sanitation and clean water. These are the real measures of the quality of life, and those are the things we need to strive for, for the people of Ethiopia.

We would not be discussing this today if it was not for those who died and those who are currently languishing in prison. Let us not forget them, as many of us here in this country enjoy the luxuries and the benefits and the freedom that we have here. But really let us not forget those who are languishing in prison, and who are really having a very, very difficult time.

I would like to ask for unanimous consent to enter into the record the questions from Congressman Honda, who is Chair of the Ethiopia Caucus. And I ask the Chairman if he would allow that to occur.

Mr. SMITH OF NEW JERSEY. Without objection.

[The information referred to follows:]

DEAR CONGRESSMAN DONALD PAYNE, As Chair of the Congressional Ethiopia and Ethiopian American Caucus, I offer these questions to be asked at the Hearing of the Subcommittee on Africa, Global Human Rights and International Operations "Ethiopia's Troubled Internal Situation" on my behalf. This is in addition to your prepared questions, and I hope that you find them helpful.

1. The Ethiopia Consolidation Act HR4423 would require the U.S. Agency for International Development (USAID) to re-write its development plan for Ethiopia. How would this requirement impact current U.S. assistance programs? What development assistance programs may be eliminated as a result of this legislation?
2. To what extent have Ethiopian Americans influenced the political environment in Ethiopia? How can the federal government better coordinate with Ethiopian Americans to nurture peace and economic growth in Ethiopia?

This is a critical time for Ethiopians and the Ethiopian Diaspora. Your leadership is critical to resolving the current crisis, and I thank you for your commitment. I look forward to working more closely with you.

Sincerely,

MICHAEL M. HONDA

Mr. PAYNE. Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Thank you. We will go right to our witness, and anybody who has an opening statement we will go back to that because Mr. Yamamoto does have a flight to catch to Ethiopia and must leave around 3 o'clock I understand.

Donald Yamamoto currently serves as Deputy Assistant Secretary of State in the Bureau of African Affairs. Previously he served as U.S. Ambassador in 2000 to 2003. His assignments included U.S. Embassy Beijing, as Ambassador Staff Aide and Human Rights Office during the Tienanmen Square demonstrations. He has served in Eritrea Chargé d'Affaires. And we are so glad to have him. During his foreign service career he has received four individual superior honor awards and two group awards.

Mr. Secretary, please proceed.

**STATEMENT OF THE HONORABLE DONALD Y. YAMAMOTO,
DEPUTY ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS,
U.S. DEPARTMENT OF STATE**

Mr. YAMAMOTO. Thank you very much, Chairman Smith, Congressman Payne, honored Members of the Subcommittee. It is a great pleasure to testify before you today. And I also want to express my deep personal appreciation to you personally, Mr. Chairman and Congressman Payne and others, for your commitment, and for your engagement.

I have submitted a longer official version of this testimony for the record.

The May 15, 2005, elections were historic, and the pre-election assessment was impressive. 25.6 million people registered to vote, 48 percent of which were women. In total, 85 percent of all eligible voters registered, marking a significant increase over the last election in 2000.

Elections for the lower house featured 1847 candidates competing for 547 seats. This was an 80-percent increase over 2000.

On election day and during the post-election period, there were reports of intimidation and harassment, and in some areas ballot boxes had not been properly secured. There was a general transportation strike in Addis Ababa June 6 to 8, and violence led to the deaths of three dozen and the arrests of over 3,000 people. The United States condemned the violence, and it cautioned that hate messages directed against any ethnic group could further fracture the delicate balance within Ethiopia.

We supported a brokered agreement on June 10 between the opposition and the ruling parties to enhance political engagement. We

actively reached out to the opposition party leaders from all of the opposition groups, as well as to bridge the political divide separating them from the ruling party. We also engaged the Ethiopian diaspora here in the United States.

The unexpected political gains inspired confidence in the opposition to insist on more political control of the process, and they pressed for a review of 299 seats that they lost to the ruling party.

I would like to add, Mr. Chairman, that the diaspora here and in the opposition who have demonstrated so vigorously in front of the State Department, on Capitol Hill, and in front of the White House, that we also call upon them to also engage in a constructive dialogue and a responsible dialogue with governments. We all need to build confidence to bring about a peaceful resolution of all differences. And that this we will continue to encourage.

Under the National Electoral Board of Ethiopia process, the Complaints Review Board received 380 complaints of election irregularities, and identified 178 cases for investigation. It was unclear why some were rejected.

The NEBE clearly requires significant assistance as it works to build capacity and forge a constructive dialogue between the parties. On the disputed seats, the Carter Center recommended that the opposition refer these cases to the higher court for adjudication. We commend the work of the Carter Center, and note the important work of the European Union, carried out under very difficult conditions.

On the overall assessment of the election, we agree with the Carter Center report that the elections had credibility, and that the majority of the constituency results, based on the May 15 polling and tabulation, are credible and reflect competitive conditions.

The United States remains deeply concerned, however, about the 31 seats that went to a re-vote on August 21. The ruling party won all 31 seats, even among constituencies where the oppositions had a clear and significant majority on May 15.

Of greater concern was the violence that erupted on June 8 and November 1, and led to the arrest of thousands of people. And after the election, the detention of 128 CUD and civil societal leaders.

We objected strongly to the violence and detentions both publicly and in several press statements, privately and publicly to the government and to the opposition.

The electoral process of May 15 was historic and considerably enhanced the democratic consciousness of the people of Ethiopia, a much-improved election over 2000 and 1995. The United States is committed to ensuring that the 2010 elections build on this progress, that Ethiopia moves toward transparent elections, responsive government, and greater power-sharing.

Since the election, we encouraged the opposition parties to continue their political dialogue with the government on reform. On the detainees, the Administration has called on the government to ensure fair, transparent, and speedy trials for those who have been charged, release of those who have not been charged, and protection of human rights, health and safety of all detainees while remaining under detention.

The opposition and ruling parties have agreed to review parliamentary procedures on capacity of the NEBE, media law, and

rule of law. The Ethiopian Government has also agreed to review domestic political institutions by outside experts, from Germany, India, Great Britain, and Canada. The United States will review the media law, and we are working with the European Union to encourage elected opposition officials to take their seats in Parliament, and many are.

The United States has also engaged with the newly-elected Addis Ababa city councilors and the NEBE to enable the opposition to take over city halls. We pressed the Ethiopian Government to conduct an independent investigation of the violence and the arrests of thousands of civilians in 2005.

The completed report from this commission appointed by the Parliament is expected soon. And that is thanks to you, Mr. Chairman, for your work on this effort.

The Administration is also working to ensure the return of the International Republic Institute, the National Democratic Institute, and IFES, all of which were expelled prior to the May 15 election. These organizations are critical to building political reform.

The United States is committed to good governance and the primacy of democracy. We believe Ethiopia is headed in the right direction. And in order to ensure positive momentum, the United States and the international community need to work with Ethiopia to cultivate and nurture this process.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Yamamoto follows:]

PREPARED STATEMENT OF THE HONORABLE DONALD Y. YAMAMOTO, DEPUTY ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

INTRODUCTION

Chairman Smith, members of the subcommittee, I am honored to testify before you today on the internal political situation in Ethiopia. As Africa's second most populous nation, Ethiopia has an important part to play in enhancing the stability of East Africa.

The United States believes that democracy is the best form of government for stability—in Africa and beyond. Free and transparent elections are the best vehicle for citizens to express their wishes and hold their governments accountable. Democracy should be anything but a zero sum game.

Over the last year, Ethiopians have been tempted by the twin promises of freedom and fairness. Expectations were high during last year's campaign season. This marked the first, true multiparty election in Ethiopia's 3,000 year history. Results have been mixed, and hopes for progress have been chilled, as the government has clamped down on individuals' right to assemble and journalists' ability to report events. Meanwhile, several elected opposition officials refused to take their seats in Parliament and have been arrested and charged with capital offenses.

In calling for last May's election, Prime Minister Meles moved his country forward. However, the intolerance that followed in the wake of the results and the opposition's response show that the country has more work to do in progressing toward true, mature democracy.

HOPE FOR DEMOCRACY

Speaking at the Freer Gallery before the G-8 summit last June, President Bush remarked that, "The whole world will benefit from prosperity and stability on the African continent. And the peoples of Africa deserve the peace and freedom and opportunity that are the natural rights of all mankind."

The Administration firmly believes in the primacy of democracy. So do the American people and this Congress. Democratic governments will naturally reflect the local cultures and traditions of voters, but this form of government is the single best way to account not only for the needs and wishes of large groups of people, but also for those holding minority viewpoints.

Liberty improves lives, and fair elections and personal liberty protections are universal values. Our goal is to encourage all governments to be responsive to their people and respectful of human dignity. The United States raises these points in the spirit of partnership.

There is every reason to believe that Ethiopians want responsive leadership, and the U.S. Government supports the efforts of students and activists to have their voices heard. As President Bush said in the same speech last June, "All who live in Africa can be certain, as you seize this moment of opportunity, America will be your partner and your friend."

A NEW CHAPTER

The May 15, 2005 elections were momentous and offered the people of Ethiopia the prospect of an important step toward democratic rule and responsive government. The pre-election assessment was impressive. Nearly 26 million people registered to vote, 48% of which were women. In total, 85% of all eligible voters registered, marking a significant increase over the last election in 2000.

Elections for the lower house featured 1,847 candidates competing for 547 seats. Compared to 2000, this was an increase in participation greater than 80%. Election observers from the United States (U.S.) and European Union (EU) recognized the National Electoral Board for its excellent job registering voters and candidates, and preparing for the elections. Even the state-managed media coverage was considered fair, giving the opposition 56% of the airtime exposure, according to the EU report, while the ruling party received 44% of the coverage.

The opposition parties, much to their own surprise—and the shock of the ruling party—earned the keys to Addis Ababa's City Hall on election day. The ruling party acknowledged its loss in the capital, as well as losses in most of Ethiopia's other urban centers. The opposition managed to capture 170 seats, mostly in urban areas. This was significantly more than the meager 12 seats it won in 2000. This success is tempered only by the fact that most Ethiopians reside in rural areas.

The United States hailed the outcome of the May election as an affirmation of Ethiopia's political development. For the first time in their long history, Ethiopians had a democratic choice.

ELECTIONS AND POLITICAL TENSION

The great hope inspired by this election soon gave way to political turmoil. On election day and during the post-election period, there were reports of intimidation and harassment and that in some areas, ballot boxes had been improperly secured. From June 2–8, the opposition raised questions about the results for 299 seats. There was a general transportation strike in Addis Ababa June 6–8, and violence led to the deaths of three-dozen and the arrest of over 3,000 people.

The United States condemned the violence and cautioned that hate messages directed against other ethnic groups could further fracture the delicate ethnic balance within Ethiopia. The U.S. Ambassador in Addis Ababa, Ambassador Aurelia Brazeal, worked with her colleagues from the British, Austrian, EU, and other embassies to broker an agreement on June 10 between the opposition and ruling parties to enhance political engagement and resolve seats under dispute.

Since the departure of Ambassador Brazeal, our Charge, Ambassador Vicki Huddleston, and the U.S. Embassy staff have continued actively to reach out to opposition party leaders from the United Ethiopian Democratic Forces (UEDF), Coalition for Unity and Democracy (CUD), and Oromo Federalist Democratic Movement (OFDM). U.S. Embassy staff is working to bridge the political divide separating the opposition parties and the ruling Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). The State Department has also engaged the Ethiopian diaspora in the United States, and the chief opposition leaders, Hailu Shawel, who heads the CUD, and Petros Beyene, head of the UEDF, who have been in the United States.

On numerous occasions, the Assistant Secretary sent me to Addis Ababa to work with the Ethiopian Government and opposition groups in support of U.S. Embassy efforts to encourage a reconciliation of differences between the opposition and the ruling parties, and to discuss ways to improve the political process with the Ethiopian government. We encouraged the opposition parties to take their seats in the Ethiopian Parliament and use their positions as parliamentarians to press for continued political reform and a greater voice for the opposition.

The opposition's stance evolved after May 15, 2005. Their unexpected political gains inspired the confidence to insist on more political control of the process, and they pressed for a review of the 299 seats they lost to the EPRDF. The Administration has encouraged dialogue between the government and opposition parties to resolve the dispute. U.S. government officials have repeatedly stressed that respon-

sible discussions would help enhance confidence and bring about a peaceful resolution. The National Electoral Board of Ethiopia (NEBE), which did a notable job in pre-election efforts, was overwhelmed by post-election tasks. The NEBE clearly requires significant assistance, as it works to build capacity and forge a constructive dialogue between the parties.

Under the existing NEBE process, the Complaints Review Boards (CRB) received 380 complaints of election irregularities and identified 178 cases for the Complaints Investigations Panels (CIP) to investigate. It was unclear why some cases were rejected. The European Union report on the elections asserted that over 90% of the CUD complaints were rejected as opposed to only 30% for the ruling party. It seems clear that the CRB/CIP process did not prove an adequate means for a fair resolution of all electoral disputes.

According to the Carter Center, which monitored the election process along with the European Union, in one-third of the investigations they observed, witnesses appeared frightened or intimidated, and there was credible evidence of intimidation and harassment including beatings and bribes. It is clear that the CRB/CIP is an ad hoc mechanism to review electoral complaints, rather than a reliable process for resolving the Parliamentary seat dispute. The Carter Center recommended that in this instance, and until the NEBE gains the maturity to resolve political disagreements, the opposition refer these cases to the High Court for adjudication.

We commend the work of the Carter Center and note the important work that the European Union carried out under difficult conditions. On the overall assessment of the elections, we agree with the final report, which noted that the elections had credibility and that majority of the constituency results based on the May 15 polling and tabulation are credible and reflect competitive conditions. Our own assessments support this view.

Despite our belief that elections results overall were generally credible the United States was deeply concerned about the 31 seats that went to a re-vote on August 21. The ruling party won all 31 seats, even among constituencies where the opposition had won a significant majority during May 15 balloting. Election observers noted that voters were perplexed as to why there was a re-vote and noted a dearth of information and increased presence of security forces at polling stations. Of even greater concern was the violence that erupted on June 8 and November 1, 2005 that led to the arrests of thousands of people after the elections and the detention of 128 CUD and civil society leaders. We objected strongly to the violence and the detentions both publicly through several press statements and privately to the government and the opposition.

Of particular concern to the United States are the early-November arrests of much of the Coalition for Unity and Democracy (CUD) leadership, along with prominent members of civil society, journalists, editors, and publishers. After seven weeks in detention, the Ethiopian government charged 131 individuals with capital offenses of "outrages against the constitution and constitutional order," and, in several cases, "treason" and "attempted genocide." Charges were recently dropped against 18 of the defendants, including five American citizen staff members of Voice of America, who, with five others, were charged in absentia.

In addition to these leaders, Ethiopian authorities detained over 14,000 demonstrators holding them for as much as nine weeks in detention camps far away from Addis Ababa. While public protests aimed at destabilizing the country are objectionable, there is no excuse for mass arrests and the use of lethal force against civilians who wish to express their opposition to their government.

GLIMMERS OF HOPE

The electoral process of May 15, 2005 was historic and considerably enhanced the democratic consciousness of the people of Ethiopia. It was a much-improved election over 2000, which had been a great improvement over the 1995 election. The United States is committed to ensuring that the 2010 elections build on the progress of the 2005 elections, in moving toward transparent elections, responsive government, and greater power sharing.

That said, the post-2005 election problems point to the need for capacity building and further reform. The Ethiopian government and opposition agree on that score. We are working to help both sides forge a common commitment to work collaboratively toward a shared goal of developing a more democratic political process. We recognize the need for capacity building to strengthen the electoral commission, foster international exchanges that broaden exposure to other political systems, enhance the open and transparent political process—particularly with regard to Parliamentary procedures that ensure equal participation for opposition members, offer

clear and detailed guidance regarding the electoral process, and encourage greater political debate and participation by members of the Ethiopian public.

Over the last year, we have encouraged the opposition parties to continue their political dialogue with the government about the necessity of reform. The Ethiopian citizens who have been detained without charge are of vital concern, and the Administration calls on the Government of Ethiopia to ensure a fair, transparent, and speedy trial for those charged, release of those who have not been charged, and protection of the human rights, health, and safety of all detainees while they remain in detention.

With the engagement of the EU and the Ethiopian government, the opposition and ruling parties have agreed to review parliamentary procedures, the capacity of the NEBE, media law, and the rule of law. The Ethiopian government has also agreed to reviews of domestic political institutions by outside experts from Germany, India, Great Britain, and Canada. The United States will review the media law, and we are working with the EU to encourage elected opposition officials to take their seats in Parliament, and many are. The United States has also engaged with the newly elected Addis Ababa City Counselors and NEBE to enable the opposition to take over City Hall.

We pressed the Ethiopian government to conduct an independent investigation of the violence and the arrests of thousands of civilians in 2005. The completed report from the commission appointed by Parliament is expected soon. We continue to urge the government to apply expeditiously and justly the procedures of the Ethiopian legal process to the cases of the remaining 111 detained CUD and civil society leaders. Resolution of the detention issue would fortify Ethiopia's developing democratic process.

The Administration is also working to ensure the return of the International Republican Institute, the National Democratic Institute, and IFES, all of which were expelled before the May 15 election. These organizations can help with capacity building and political reform.

All of these actions have been undertaken in support of good governance and the primacy of democracy. We believe Ethiopia is heading in the right direction; in order to ensure positive momentum, the United States and the international community needs to work with Ethiopia to cultivate and nurture this process.

CONCLUSION

Ethiopia is currently at a crossroads; it can continue to move forward, or it can lapse into the sort of government that's best encountered in history books. It is incumbent upon Prime Minister Meles, his government, and the various elements of the multifaceted opposition to demonstrate to the world, but, more importantly, to Ethiopians, the sincerity of their professed commitment to democracy through their actions as well as their words. The United States has a role, as a partner and friend, to help Ethiopia's leaders to choose the right path to secure peace, stability, freedom, and democracy for the Ethiopian people.

Some interested groups, both within and beyond Ethiopian borders, seek to undermine what is best for the nation of Ethiopia, in favor of what they perceive to be the best for themselves. They cast stones at their adversaries, while engaging in the very acts they accuse their rivals of pursuing.

The challenge for the United States is to share with our Ethiopian partners—the government, the opposition, civil society, and the broader public—the lessons of America's own democratic experiment and impede the subversive effects of those who put their own objectives above those of the Ethiopian people. Through diplomatic persuasion, the United States has succeeded in bringing together the government and some opposition groups for dialogue to establish a more equitable political environment that includes respect for the rule of law. U.S. engagement has helped convince the vast majority of opposition Members of Parliament-elect to take their seats, so that they can challenge the political system from within to improve lasting institutions and make tomorrow better. The United States has supported efforts through which opposition members elected to the Addis Ababa city council sought to assume control of the capital city, in accordance with their electoral mandate.

The United States government remains hopeful that Ethiopia can achieve the democratic and development ideals that its people espouse. I am hopeful that Ethiopia's leaders will allow this to happen, and Ethiopia's friends in the United States stand by ready to help.

Mr. SMITH OF NEW JERSEY. Mr. Secretary, thank you very much. And I think it is worth noting at the outset that it was almost a year to the day, on March 30, that NDI and IRI and the other orga-

nization were ousted just prior to the elections, which sent a very clear and ominous signal as to what was almost a harbinger of what was to come.

And as you know, we are calling for them to be allowed back. It is contained in H.R. 4423 as part of our findings and recommendations. And my hope is that the sooner they get back there, the better. All three of those organizations do exemplary work.

Let me ask just a couple of questions, first beginning with the detainees. Do we have a sense as to how many detainees there are? Have our Embassy personnel been able to visit? I know the ICRC, I think I read somewhere in one case had one visit, and that is all they were allowed.

And very importantly, what is the evidence on the use of torture? There have been allegations that torture has been used to extract confessions from detainees. What is our take on that?

And I would just say to my colleagues that I plan to initiate a letter to Manfred Nowak, the Special Rapporteur on Torture. When I met with him last year in Geneva and asked him if he would be willing to receive requests from Members of Congress on what to look into, he said yes. So we are planning, as a result of this hearing and the ongoing concern about the detainees and all of those who are unjustly incarcerated, to initiate such a letter to have him take a look at the torture situation. But if you could begin on that.

Mr. YAMAMOTO. Thank you very much, Mr. Chairman. It is the priority for this government to look into and to follow the detainees very carefully.

Our Ambassador and the Embassy have been extremely aggressive in following the trials, and also in following the health and the safety of the detainees. Eighteen were exonerated during the recent court case, and the charges were dropped against them. There are about 111 remaining.

We have followed the conditions of the detainees very carefully, even from bringing medications to the detainees. Again, the priority for us is to follow how the detainees are being treated. And again, until we have resolution of this issue, it becomes an obstacle to moving forward.

But also, Mr. Chairman, I want to equally emphasize the importance of the political dialogue that must take place between the opposition and the government. The issue on torture and other maltreatment, this is an issue that we follow very closely. And again, we refer you to the human rights report on the cases that we have investigated.

Mr. SMITH OF NEW JERSEY. Let me ask you with regards to one specific case, Keefa Kenye Abate, who has been held apparently under Penal Code 238, attempting to overthrow a Constitution. Like others, it is being used, we think, as the charge that will be lodged against him.

And would you say parenthetically—and I say this because I know we will be hearing from the Ethiopian Ambassador right after your panel—that all-sweeping “attempting to overthrow the Constitution” language is reminiscent to many of us to the slander against the Soviet State, or some of the other catch-all phrases that are so often used, and used with great impunity, by countries, and

very often by dictatorships, in order to put people behind bars. And in this case, they can be put behind bars up to life imprisonment.

But in the case of Mr. Abate, and I would note parenthetically that his wife, Dr. Carmella Green Abate is a very, very prominent and very aggressive NGO leader, helping Ethiopian children, destitute Ethiopian children. So she is there on the ground, working day in and day out to help people who have little kids who are in dire straits. And now her husband is imprisoned.

And I just would note also that two courts so far have looked at the evidence and dismissed the complaint. As a matter of fact, on December 28 the court ruled that there was no evidence to justify his arrest, and that his case should be dismissed and that he should be released. On December 29 the Court of Appeals reiterated the initial finding there was no justification for his arrest, and that the case should be closed. And the prosecutor just turned a blind eye and a deaf ear to those findings, which raises serious questions about the rule of law and the lack of, at least from an independent judiciary point of view, whether or not they have the ability to say something and have it carried out by the Executive Branch.

He is only one of many, but I would just raise his case as another example of what appears to be a grossly unjustified incarceration by the Meles Government. What is your take on that?

Mr. YAMAMOTO. Mr. Chairman, you raised a very good point on the capacity-building within the judicial process in Ethiopia. That is an area that we have focused on through our Good Governance and Democracy Program, and also that we are committed to ensuring that there is capacity-building and that there is improvement. And that we are working not only with the Ethiopian Government, but also with civil society and with the people.

And your case, specifically, we will give you a response to the specifics on his case. But just to assure you, Mr. Chairman, that we have met with the family members of the detainees. I have done so in my several visits to Ethiopia, and I will do so again this time. And our Embassy has done so, as well.

And this is of high concern to have their loved ones who are detained, and also the treatment that they are receiving. Those are extreme concerns and high priority for us, and we will continue to follow it.

Mr. SMITH OF NEW JERSEY. I appreciate that. Now, I would ask you, if you could, on his specific case, if you would look into that. Keefla Tigna Abate. And I will give you the information before your departure. His wife again works for this organization. She is an American, Dr. Carmella Green Abate. And they work for Catholic Relief Services, but above all she is trying to help young children.

I wonder if you could tell us, maybe you could do this on the record or get back to us, on whether or not our Embassy has visited him.

Mr. YAMAMOTO. I will have to get back to you, sir, on that.
[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM MR. YAMAMOTO TO QUESTION ASKED DURING
THE HEARING BY THE HONORABLE CHRISTOPHER H. SMITH

While officials from the U.S. Embassy in Ethiopia have not been able to visit Mr. Abate, a non-U.S. citizen, they do maintain regular contact with his wife, Dr.

Carmella Green Abate. Mr. Abate has not reported being subject to any abuse during his detention. U.S. Embassy personnel have raised Mr. Abate's detention and trial with Ethiopian Government officials and actively follow developments in his case. Despite being unable to visit Mr. Abate directly, U.S. Embassy personnel meet regularly with others who have seen or met with Mr. Abate to monitor his condition.

Mr. SMITH OF NEW JERSEY. Sure. Finally, I do have other questions. But let me, in the interest of your time, yield to Mr. Payne for his questions.

Mr. PAYNE. Thank you very much. Thank you for your testimony.

Amnesty International and other human rights groups have consistently reported about human rights and violations in Ethiopia. What is your assessment of human rights condition in general? And how many demonstrators were killed in June and November in demonstrations, approximately? And how many people were killed last year throughout Ethiopia?

We would like to see what the government's involvement is, and who are those who are perpetrating these, initiating this violence. And if you know approximately, I mentioned two people in prison, do you know how many are currently in prison? And perhaps an overview of the human rights conditions, particularly in the Oromo and the Somali regions of Ethiopia.

Mr. YAMAMOTO. As far as the total number of killings, et cetera, and related to the elections, thanks to Chairman Smith, of course, and your good work, Congressman Payne, the government has set up a commission to investigate. And that report should be coming out soon. That we will be following up very closely.

The specific numbers of deaths, again to have any specificity, is very, very difficult. As we said, in the June 8 timeframe there were three dozen deaths. And of course, a couple of dozen as well in the November timeframe as well. And even one death alone is unacceptable. And that is something that we have protested, and also need to work to ensure that there is a compassionate manner in which demonstrators are dealt.

As for the total number of deaths and torture throughout the country, I refer you to the human rights report. Again, those are issues and questions that are very difficult to answer. We do, as stated, highlight issues that have been ongoing in Gambella last year and the previous year, and Oroma, and those have been highlighted. But as far as specificity on numbers, I would defer to the experts who have been on the ground investigating.

Just to say that we are investigating these cases and others, we work very closely with the NGOs, and also with the government and the opposition groups and other civil society groups, to investigate and to prevent these from happening again in the future.

On overall human rights, I think you can say that there are questions, as very clearly outlined in our human rights report. But these are areas that we are focusing on, and trying to work through the judicial reforms, through political reform to improve the condition. And in this context, to work with civil society, and also the people of Ethiopia, because it is their government, it is their country.

Mr. PAYNE. Just quickly, since you have to leave and the other Members might want to ask questions, sort of the same area about the freedom of the press. The government controls the radio, although they did allow opposition people to have broadcast author-

ity during the election, to some degree. They control radio, they control television, most major media outlets, although there is a small private press active in Addis.

But over the past several years, dozens of journalists and editors have been incarcerated by the government or left the country. The same sort of question.

What is your assessment in general about the freedom of the press in Ethiopia? And why is the government arresting journalists and editors?

Also, the government is reportedly in the process of issuing licenses for private radio, for radio and perhaps television. What do you expect from the private radio or television? Do you believe that there will be an opportunity for free and independent radio and television under this new initiative from the government?

Mr. YAMAMOTO. And then you cite a very good point. During the pre-election period, 56 percent of the air time on TV and radio was given to the opposition, 44 percent to the ruling government parties. And that was according to the European Union report.

The arrest of journalists after the election is an issue that we had raised in our press releases, and also in our private discussions, that it was not acceptable.

The issue, of course, is we continue to follow judicial reforms, and this is of great importance to us. In this context and our negotiations and discussions with the government, they have agreed and allowed us to review and work with them on the media law. And you can be assured, Congressman Payne, that we will be working very diligently and very assiduously with the government and civil society and journalists to ensure that we have the best possible media law.

Mr. PAYNE. And just last, NDI, IRI and IFES were expelled. When I met with the prime minister, I made a request that these organizations be allowed back in, just a verbal request. But has there been a formal request by the organizations? And what is the position of the government?

As we do know, the Carter Center was allowed to stay. The EU were allowed to stay. They seem to be selective about who they would allow in and out.

What is the current situation with those three groups?

Mr. YAMAMOTO. Right now, we are discussing this with the government and also directly with these groups, because we do have funding for them. And we want them to spend that funding in Ethiopia on capacity-building. So it is ongoing. And we will report to you as developments occur.

Mr. PAYNE. Thank you. I will yield.

Mr. SMITH OF NEW JERSEY. Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. Thank you for your leadership, for calling these hearings. And thank you, Mr. Secretary, for being here.

Let me just first say a couple things. The use of excessive force, the killing of students and innocent civilians by the Ethiopian security forces is totally unacceptable. And the election that took place of course left a lot to be desired.

And in terms of our country's efforts, and I appreciate your diplomacy in indicating your negotiations and our protest, but quite frankly, I think we do need to do more now than protest.

And so, Mr. Chairman, I am glad that we are working on H.R. 4423, and hopefully we will be able to get that together so that all of us can have a good bill to move forward out of this Committee. Because certainly with the gross human rights violations now, and the lack of democracy, I think the United States Government needs to rev up its actions, and needs to do more.

A couple things I would like to ask you with regard to the opposition groups. Could you just kind of lay out the fundamental issues that you see at least as dividing the political parties? And is reconciliation possible? That is the first thing.

Then could you just bring us up to date on the Ethiopia/Eritrea border conflict. And finally, let me just ask you about HIV and AIDS. As you know, I visited Ethiopia a couple of years ago, and learned that at least 10 percent of the population is infected. And supposedly the numbers we got was about 2.9 million Ethiopians are living with HIV and AIDS.

So I want to know what more—we weren't doing much 2 years ago. And I want to see what more we are doing to help, and what measures need to be taken on our behalf to help stop the spread of the infection.

Mr. YAMAMOTO. Thank you very much for your questions. On the reconciliation, the discussions are ongoing. I have been sent over a half a dozen times over the past year, especially in concern with the good governance and democratization process.

On the opposition, our position is that we want the opposition and the government to reconcile differences, to work together not only to reform the political system, but also to work together on the future elections. And specifically the local elections, which are coming up. And that is a decision that both the ruling party and the opposition party must take in order to ensure that these elections are free, fair, transparent, and open, and reflect the true will of the people of Ethiopia.

The opposition parties have raised the issue of 299 seats under dispute. President Carter and the Carter Center, in their investigation, said a couple things. And we discussed this with the opposition and the government. And that is to have a responsible discussion of how many of these seats are valid.

Just ask the government how many of the 31 seats that went for re-vote, those are issues that we have raised. Is that really in keeping with political reform, good governance, et cetera.

And so the where the reconciliation process stands right now is, and that is one of the reasons I am heading off to Ethiopia right now, is to follow up just on the developments and the progress we have made. But we must also be mindful, as the Chairman and as Congressman Payne and as you have stated, on how we can resolve the detainee problem.

Just very quickly on Ethiopia/Eritrea Boundary Commission. We, the United States, are very much committed to this process. We just held meetings in London. This is the first time the Ethiopians participated in quite a long time. That, in itself, is a major step forward.

What we need to do is to keep up the pressure, to keep up the impetus on both parties to come to conclusion and resolve this border dispute. And that is what we are going to be doing through the United Nations, the witnesses, and future meetings in London. And again, another reason for the trip today to Ethiopia and to Eritrea is on the border.

The issues on HIV/AIDS, and here I want to just express our deep appreciation to you, Congresswoman Lee, for your involvement and engagement on this really critical issue in Africa. And you are quite correct. In the last 2 years that Ethiopia has been partnering with the Presidential Initiative on HIV/AIDS, we are developing programs and projects, and working with civil society and with the government to pinpoint and to work effectively to reduce the spread of HIV/AIDS, and to work to meet the needs of those who have HIV/AIDS.

And I think in the next couple years you will see, I believe, as we have in other areas where the Presidential Initiative has been implemented, progress and development.

Ms. LEE. Thank you, Mr. Chairman. I just hope we see more funding as it relates to humanitarian assistance directed toward this HIV and AIDS pandemic. Because it could spiral out of control in Ethiopia.

Thank you.

Mr. SMITH OF NEW JERSEY. Ms. McCollum.

Ms. MCCOLLUM. Thank you, Mr. Chair. First I would like to state for the record, I strongly support the people of Eritrea, along with many of the Ethiopian-Americans and Oromo-Americans in my district, and will continue to stand with them on their very challenging efforts to overcome extreme poverty and food insecurity.

But I also stand with the people of Ethiopia on their effort to have their voices heard in a free and democratic society.

Unfortunately, the current leadership, political repression, massacres, and extreme human rights abuses clearly demonstrate a government that is not on the path to democracy, but committed to retaining power at any cost.

I believe that American people reject the notion that a regime that massacres innocent citizens can be called a friend and a true partner of the United States. So I am a little troubled by the comment Ethiopia is heading on the right track.

I know from reading your biography of the work that you did in China as a human rights officer during Tiananmen Square. And now we have a similar case in Ethiopia, pro-democracy demonstrators being massacred, not once, but twice, by government security forces. Thousands more being beaten, arrested, tortured, and the government is just getting around to maybe investigating itself now.

Now, with all due respect, your comments about right track and capacity-building and further reform bother me a little bit, because innocent people were murdered. Thousands of innocent people, pro-democracy demonstrators, were arrested and beaten. And what about the need for full justice and accountability for those political leaders that are responsible for these atrocities?

Is a policy of oppression going to be condemned by the Bush Administration, openly condemned? Will the same standard of human rights and accountability that I hear in this Committee all the time, that the United States held to China in the Tienanman Square massacre, we used to hold the Ethiopian Government for the Ababa massacres and imprisonment.

And then my other question for you, sir, is, does the State Department consider the Oromo liberation front a legitimate public entity that should be allowed to participate fully and peacefully in Ethiopia's political life?

Mr. YAMAMOTO. Thank you very much, Congresswoman. You raise very cogent arguments and statements.

Let me just, on a personal note, I have been involved now for 10 years just on Ethiopia and Eritrea issues. And it is heartbreaking to see the situation that occurred after the elections, as far as the violence that occurred on June 8 and November 1. And I received hundreds and hundreds of emails, and I responded to each and every one of them. And some of them were very, very heartbreaking, of people whose family members were killed on those days.

And the issue is, how do we address those? How do we assure that that doesn't happen again? And that, I think, is what we must dedicate ourselves in working on. And that is what I know I am, and my team, and what we in the State Department are trying to do, so that doesn't happen again.

As far as the progress, there has been progress made. And this is in a political sense. In other words, from 2000 and 1995, the elections in 2005 were much better than those two previous elections.

Yes, there are many problems. Yes, there is irregularity, and more needs to be done. And I think we, as a government and as a people, when we see that there has been some progress, we need to make sure that that continues. And to work not only with the government, but the people and the civil society and journalists, and to make sure that they have their voices heard, as well. And to ensure that is why we have been working so hard with the opposition groups, to work on political reform, because we want their voices to be heard. We want them to be heard in the Parliaments of Addis Ababa and in Ethiopia, so that they could get their voices and their words heard.

We believe that negotiation is the best route for issues on the OLF. And that is an area that we have supported with the OLF, the government. And I know that, and I defer to my colleague from the Government of Ethiopia, on what steps they are taking on negotiations.

But for our part and for the part of the international community, is that we are supporting discussions and talks between them and the government.

Thank you.

Mr. SMITH OF NEW JERSEY. Thank you very much. I know you will have to leave momentarily, and a number of us have additional questions we would like to submit for the record to you.

I would like to ask you very briefly, in this year's request for funding there is an increase called for in IMET, as well as for for-

eign military financing, to go from \$594,000 to \$640,000 for IMET and \$1.98 million to \$2 million in foreign military financing, which to me seems very contrary, given the state of affairs, to any concern that we would express rhetorically about human rights, when their military is getting support from us in a very tangible way.

And secondly, if I could very briefly raise the issue of the widespread intimidation of defense attorneys, which is a device so often used in dictatorships to try to stifle defense, and to completely obliterate anything that even looks like the rule of law.

What is your sense on the number of people by name who are being held, who are defense attorneys, and others who are being intimidated?

Mr. YAMAMOTO. On the reason for the increase in the IMET and the foreign military financing is Ethiopia is a major peacekeeping operation country. And to try to get well-trained groups is very difficult. And Ethiopian troops are being used. They are used in Burundi to stabilize that area, and Liberia, and in other areas. They are the third-largest group right now.

And so what this is for, training specifically for peacekeeping operations.

The other issue of course is civil affairs, which is to use the military as a force for supporting natural disasters. And we give courses on good governance and democracy and other issues. And so it is helpful.

And the foreign military financing is in support of those peacekeeping operations and others. We can give you a breakdown in greater detail later.

Mr. SMITH OF NEW JERSEY. Before you go to defense, does that training also include anti-human trafficking initiatives? They are the fifth-largest contributor of troops, UN peacekeeping.

Mr. YAMAMOTO. Yes.

Mr. SMITH OF NEW JERSEY. It does?

Mr. YAMAMOTO. Yes.

Mr. SMITH OF NEW JERSEY. Okay. And on defense attorneys?

Mr. YAMAMOTO. It is not only defense attorneys, we are talking the family members. Family members, lawyers, religious groups, et cetera.

And any type of restrictions on one group is an affront to all groups. And so therefore, we have to keep focused on this issue. So I agree with you 100 percent, sir.

Mr. PAYNE. I would like to amplify what the Chairman said in regard to IMET. I know that IMET is training and attempting to have discipline, human rights, supposed to try to make the military understand the role of military, et cetera. And we definitely need to have more peacekeepers. Sudan should have three times as many, but there is the difficulty in getting them. So you are kind of betwixt and between that you don't want to reward a country that has used its military against its people. Where by the same token, the work that is being done in peacekeeping and other places is commendable.

So I would hope that the money is, if it is going, it is not used for special forces, for intelligence-gathering, which means it is condoning torture and that kind of thing. Sharpshooters who are used many times to quell crowds.

The other quick point is that I am glad that there is additional talks that may be going on in regard to the border dispute. I do feel that Ethiopia made the agreement in Algiers to accept the border agreement. And you know, in a border there can't be two winners, so someone was not going to win, according to them. And so I think that it was totally irresponsible for the government not to accept the border decision.

I do think that the U.S. should have been more engaged in trying to force the acceptance of agreement that was made. I mean, that is why you have an impartial mediator that comes up with an answer.

So I would hope that the new spirit that there has been some leeway given. As a matter of fact, I think the prime minister mentioned about a year ago that he accepted the agreement in principle. This was the first time he ever mentioned any kind of acceptance, and said he would also participate in the cost of sharing border costs.

I think that we should work with that acceptance, at least in principle, and get it from in principle to reality. But I do hope that there is a breakthrough so that the border issue, and I think that President Isaias, I met with both of them twice last year just in regard to the borders. Because with guns facing each other, they need to be turned into plowshares, as a matter of fact. They don't need guns at all, they need butter and food.

But I think that if skillful negotiations can go on and perhaps get both of them off the hard line, in particular Ethiopia did say in principle. And I know that many of the new people elected are hard-liners that say don't negotiate, we ought to go back to the board. So it is a tough situation there. But I hope that you can press forward so that that issue can be resolved.

Mr. YAMAMOTO. Thank you very much.

Mr. SMITH OF NEW JERSEY. Mr. Secretary, if you could provide for the record, because I remember we had a very bitter experience with Kapuas in Indonesia and training by United States military of people who we had very strong reason to believe actually fired on people during the Suharto regime, and some of the training they got was urban guerilla warfare from the United States, we never got the answer as to whether or not we trained those Kapuas agents or military special forces.

If you could get back to us with who we trained, when and where, that would be very helpful to this Subcommittee. And I know you are late for your flight, so thank you so much.

Mr. YAMAMOTO. Thank you very much.

[The information referred to follows:]

WRITTEN RESPONSE RECEIVED FROM MR. YAMAMOTO TO QUESTION ASKED DURING
THE HEARING BY THE HONORABLE CHRISTOPHER H. SMITH

MILITARY ASSISTANCE TO ETHIOPIA

The United States has provided Ethiopia with non-lethal training and assistance to improve the professionalism and capacity of Ethiopia's military to more ably contribute to international peacekeeping efforts and resist extremist Islamic terrorism.

In Ethiopia, FY05 International Military Education and Training (IMET) funded the development of a language lab, logistics executive development, combined logistics captain career courses, a course on intelligence for combating terrorism, a squadron officer school, a senior non-commissioned officer (NCO) academy course,

and creation of a civil-military strategy for international development in Sub-Saharan Africa.

Plans for FY06 IMET funding include attendance at U.S. schools, including the National War College, the Command and General Staff College, intelligence officer basic and advanced training, airborne instructor training, pathfinder, airborne aerial delivery, international special forces training, military justice training, a joint transition course, peacekeeping for decision makers, and an international military law development program. The programs funded by IMET include human rights training. Of note, personnel attending IMET courses are routinely vetted for human rights abuses.

Mr. SMITH OF NEW JERSEY. In keeping with the order, I will turn to my colleagues. Ms. Lee, do you have an opening statement?

Ms. LEE. No. I will just ask for unanimous consent for it to be put into the record.

Mr. SMITH OF NEW JERSEY. Without objection.

Ms. LEE. Thank you.

[The information referred to was not submitted prior to printing.]

Mr. SMITH OF NEW JERSEY. Dr. Boozman, do you have an opening statement?

[No response.]

Mr. SMITH OF NEW JERSEY. Okay. I would like to now ask our second witness to join us at the witness table. And that is Ambassador Fesseha Tessema, who is the Chargé d'Affaires for the Embassy of the Federal Democratic Republic, and the newly-appointed Ethiopian Ambassador to Israel.

Ambassador Tessema served as head of the Ethiopian Embassy's political and economic section since 2002. Prior to that posting, he was the Deputy Permanent Representative of Ethiopia to the United Nations, which I would note parenthetically Mr. Payne and I just spent the day at yesterday.

Mr. Ambassador, please proceed.

**STATEMENT OF HIS EXCELLENCY FESSEHA A. TESSEMA,
CHARGÉ D'AFFAIRES, EMBASSY OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA**

Ambassador TESSEMA. Thank you, Mr. Chairman and Members of the Subcommittee. I have submitted my remarks, my full remarks, to the Subcommittee.

Mr. SMITH OF NEW JERSEY. Without objection, your statement will be made a part of the record.

Ambassador TESSEMA. Thank you very much. Mr. Chairman and distinguished Members of the Subcommittee. I appreciate this opportunity to present the views of the Government of Ethiopia regarding the topic of the hearing.

Our perspective is far more optimistic than the title given to this hearing may suggest. Yet this optimism is grounded in the experiential reality of life and politics in Ethiopia today.

Indeed, I reject the notion that Ethiopia faces a troubled internal situation. While I do not wish to play the role of Pollyanna and suggest that all is well and can never be better, I do wish to emphasize that the growing pains of an emerging democracy should not be mistaken for tyranny, which is the exaggerated picture that opponents of Ethiopia's constitutional government want this Committee to believe.

Let me divide my comments into three main sections. First, I will give some historical perspective. Second, I will look at the current

situation. And third, I will present reasons for optimism for the future of Ethiopia.

Ethiopia and the United States have a friendship that has lasted more than a century. The Ethiopian/American friendship and partnership in pursuit of common interests was interrupted only by the brutal dictatorship of Mengistu Haile Mariam, who came to power in a bloody military coup in 1974. He was deposed 17 years later through the collective sacrifice and determination of the Ethiopian people, who persistently fought his reign of terror.

Mr. Chairman, almost exactly 20 years ago, on the other side of Capitol Hill, the Committee on Foreign Relations of the United States Senate held a hearing on this topic: "Ethiopia Update: Forced Population Removal and Human Rights." In introducing the hearing, Senator Nancy Kassebaum, who was presiding in the absence of the Chairman, said, and I quote:

"Our concern for saving Ethiopian lives last year led to a massive United States Government and private-sector effort to provide food and relief supplies to Ethiopia. Today, however, we find that the threat to Ethiopian lives comes not from famine, but from the Ethiopian Government."

A few minutes later Senator Rudy Boschwitz made a fitting historical analogy. "Very frankly," he said, "it sounds to me that what is happening in Ethiopia is more like the 1920s and 1930s in the Soviet Union, when they collectivized farms and upward of 30 million people were killed, including about a third of the Ukrainians. Now it appears that something similar to that is happening in Ethiopia."

Mr. Chairman, I offer this short history lesson to describe the situation from which present day Ethiopia emerged.

When our country was liberated from the Mengiste dictatorship 15 years ago, our people had little idea of what self-government meant. We had even less experience exercising it. The transition from dictatorship to democracy was complex. The 1995 Constitution marked a transition toward multi-party democracy. It provided for a Federal state structure with nine member states making up the federation. It enshrined fundamental principles aimed at ensuring a democratic order and a political community founded on the rule of law.

Democratization has taken a center stage in the development discourse of today's Ethiopian politics. We recognize that there can be neither development nor stability without democracy. It is on the basis of such conviction that the Ethiopian Government has put in place a conducive legal, political, and administrative framework that have completely helped to implant and nurture democracy in the last decade.

Since 1991 Ethiopia adopted a multi-party system, and has so far held three periodic elections which over the course of time have demonstrated significant improvements.

This brings us to the events of the past year, events which brought us into this hearing room to discuss Ethiopia's internal situation. We are here because of what happened after last May's highly successful parliamentary and local government elections, which increased the number of opposition party members of Par-

liament from 12 to 172, and gave opposition parties all but one seat on the Addis Ababa city council.

The third national and regional elections held on May 15, 2005, represent a milestone in the advancement of democracy in Ethiopia. More than 27 million people were registered for the election, out of which 90 percent cast their votes. Seventy-seven political parties and 575 independent candidates contested for seats in the Federal Parliament and the State Councils. Over 300 international observers and tens of thousands of local observers monitored the election process.

International and domestic observers of the election agreed that the elections were conducted in a fair, free, and transparent manner. For example, the Carter Center sent a delegation of observers that concluded, and I quote:

“In contrast to previous national elections, the 2005 elections were sharply contested and offered Ethiopian citizens a democratic choice for the first time in their long history. The ruling party took the initiative to negotiate with the opposition and level the playing field, and agreed to a number of important electoral reforms that created conditions for a more open and genuinely competitive process. The early negotiations between parties were, in and of themselves, a step forward for the democratization process in Ethiopia.

“The National Election Board of Ethiopia implemented these reforms and adopted other important measures to increase transparency and responsiveness to political parties. Civil society organizations contributed greatly to the electoral process by organizing public forums, conducting voter education training, and deploying domestic observers.

“As a result of these efforts and others by diverse Ethiopian actors and institutions, the overwhelming majority of Ethiopians had the opportunity to make a meaningful choice in the May 15 elections. This significant accomplishment has the potential to lead to further democratization, and to consolidate multi-party competition.”

The Carter Center report continues to say that, while some complaints about individual constituency results were credible, the majority of the constituency results based on the May 15 polling and tabulation are credible, and reflect multiparty competition.

The U.S. State Department statement of 16 September 2005 recognized the election “to stand out as a milestone in creating a new, more competitive multi-party political system.”

Mr. Chairman and Members of the Subcommittee, as experienced candidates and political leaders, you know that no election is flawless, even in a mature democracy. I need not remind you of the controversy surrounding the 2000 Presidential elections in the United States.

Ethiopia is learning through experience how to become a better democracy. We are pleased the international observers, such as those from the Carter Center, agree that Ethiopia is on the right path. The fact that opposition parties increased their seats in Parliament from 12 to 172 is evidence of progress, since a robust democracy depends in large part on the participation of an active and

loyal opposition engaging the majority party in debate, respectfully challenging the positions of the prime minister and his cabinet, and helping to hone proposed legislation into good, strong, and effective law for the benefit of all the people.

Let me add that despite protestation and calls for boycott by the Coalition for Unity and Democracy, a coalition of four political parties, more than 89 of its elected representatives have taken their seats in Parliament, seats that they won in fair, competitive elections. That number appears to be growing as constituents tell their elected representatives that a boycott is nothing but being on the outside looking in, rather than on the inside making a difference.

A few days after the elections took place, a group of opposition leaders asserted that fraud or vote rigging had taken place in a number of constituencies, and they insisted that the results be nullified. The independent National Election Board set up a transparent complaint review mechanism, which was also endorsed by the major opposition parties.

The board investigated all the cases, something that severely taxed the board's resources. It concluded that in 31 cases there was sufficient evidence of fraud or other illegalities, and new elections were ordered. The Carter Center, in its final report, noted, I quote: "Within the universe of seats impacted by the complaint process, many of these cases lacked sufficient evidence to warrant challenging the results."

If only such an anecdote represented the worst of what happened in the weeks following the election. Unfortunately, in June and again in November people were killed and injured during attempted insurrections in Addis Ababa and other places. This much is true.

What is not often reported in the news media is that demonstrators came armed with clubs and grenades and guns. Policemen were killed and injured, too, while trying to keep the peace. In addition, a significant amount of public, as well as private, property was destroyed and looted by the so-called demonstrators.

These public insurrections were unfortunately called by hardcore elements of the CUD, who rejected the outcome of the elections, and vowed to disrupt the constitutional order. They persistently engaged themselves in fomenting riots and inciting violence.

Incidents such as those we experienced last June and last November, as much as they are regrettable, are not unique to contemporary times. Other democracies have experienced similar incidents like those as they developed, grew, and matured.

In the aftermath of last year's violence in Ethiopia, a number of individuals were arrested. Of these, the majority were released after an investigation. There are fewer than 170 people in custody today who are charged and are awaiting trial.

In every case, they are ensured access to legal counsel, and are able to communicate with their families. My government respects the due process of law, and wants to see justice satisfied in every one of the cases that resulted from the violent actions of the past few months. We firmly believe that the true measure of democracy is its dispensation of justice. Hence, we urge everyone to let the judicial process take its course.

Moreover, in an effort to prevent such violence from occurring in the future, Parliament has established an independent inquiry commission consisting of religious leaders, jurists, and civic activists. This commission is not only looking into the root cause of the violence, but examining the behavior of both the police and security forces.

Drawing lessons from the last election, the government is now taking measures to reform the procedure and code of conduct of the House to enhance the implementation capacity of the National Election Board and review and enhance the media laws. Accordingly, the government has hired foreign consultants to undertake studies and present a comparative analysis in light of the experience of four countries with rich democratic traditions. That is Germany, United Kingdom, Canada, and India. We believe that this approach would not only pave the way to adapt the experience of other countries to our objective reality, but would also ensure that views of all stakeholders are taken on board.

It is my humble view that this process would help narrow the difference among political parties, and promote a healthy competitive and cooperative spirit.

At this point I would like to address what should be expected of the political opposition in Ethiopia, individuals and groups whom we hope understand what it means to be loyal opposition, as that term is used in mature parliamentary democracies such as the United Kingdom, Germany, and India.

Some of you may have seen an article that appeared in the well-respected London-based newsletter, *Africa Confidential*, last month. The article said, in part, and I quote:

“The coalition that is the CUD refused to take its parliamentary or council seats as a protest against election abuses. Splits have since weakened its members’ resolve, but there is still no city government in Addis. Most members of the CUD Central Committee opposed a boycott, but with strong support from exiles in the United States, Chairman Hailu Shawal, who firmly opposed participation, outmaneuvered them.

“Most CUD MPs—that is, 92 out of 109—are busy organizing party caucuses to allow full legislative participation. The government has met some opposition demands. Consultants from Canada, Germany, India, and Britain are reviewing parliamentary procedures; others are reviewing the press law and the National Electoral Board.”

You have no doubt heard the expression—I think it was expressed in the first *Spiderman* movie, but that does not diminish its truth—that “with great power comes great responsibility.” Political influence and political activism also entail great responsibility.

Our concern that some opposition groups in Ethiopia, whether because they are fighting among themselves or because they are working purposefully to undermine the constitutional order of our country, is shared by United States officials, as well.

It is worth noting that at a news briefing last December 5, Assistant Secretary of State for African Affairs, Jendayi Frazer, stated, and I quote:

"I must say also that it is the responsibility of the opposition as well, because when the opposition takes stones and pelts the police forces, they have to respect the rule of law when they are demonstrating freely.

"And so I think that the responsibility—this is true of Ethiopia, but it is true across Africa—there is responsibility that has to be there for both the opposition and for the government. Whereas we hold the government even more accountable because they are supposed to be the upholders of the rule of law, we still must say when the opposition goes out of bounds as such.

"And this is a very diverse opposition in Ethiopia. There are some who are demonstrating to sit in Parliament to create greater democratic space. There are others who are demonstrating to overthrow the government. That is true that there are differences of opinion, there are some who want to reclaim Eritrea. So this opposition, there are democrats within the opposition, and there are non-democrats within the opposition."

Mr. Chairman, the overarching ramifications of Dr. Frazer's remarks about the importance of the rule of law are taken very seriously in Ethiopia. I can assure you, Mr. Chairman and Members of the Committee, that the Ethiopian Government and the Ethiopian people are both equally committed to respect for the rule of law and to seeing that all those accused of crimes are accorded full due process of law, no matter what they are charged for.

Mr. Chairman, here are the reasons for optimism. While the political situation in Ethiopia gives us much to ponder, I remain convinced that there are reasons to be optimistic about the future. Let me briefly mention just a few of these reasons.

First, democratization has taken a center stage in the development discourse of today's Ethiopian politics. Despite the challenges, Ethiopia is moving in the right direction toward democratization.

A second reason for optimism is that Ethiopia is experiencing strong economic growth. Our gross domestic product grew by 11.5 percent in 2004, and by 9 percent in 2005. Despite drought, in some parts of the country the agricultural sector has grown by 15 percent, and exports have grown by 24.5 percent in the past year.

Primary school education enrollment rate, which was 61 percent in 2001, grew to 79 percent in 2004/2005. Coverage of health services at about the same time grew from 52 to 70 percent. Infant mortality rate for under age 5, which was 167 per thousand in 2002/2003, declined to 97 per thousand this last year.

There is a construction boom in our capital and other cities, with residences, offices, retail shops, and manufacturing facilities being built at an unprecedented rate.

Third, despite increasing tensions between religious groups elsewhere in Africa and in many other countries of the world, the major religions live in harmony in Ethiopia, so much so that we humbly offer our experience as a model for other religiously pluralistic countries.

A fourth reason for optimism is the recent United States diplomatic initiative to bring about a permanent settlement for the Ethiopia-Eritrea border conflict. The situation is still delicate, but

with commitment and cooperation from the other side, we envision the demarcation of the border in an orderly fashion that assures lasting peace between our two countries. Success, however, depends on the support of the international community, and assurances of confidence from friends like the United States.

In conclusion, Mr. Chairman, I would like to return to my opening remarks about the close friendship between Ethiopia and the United States. This is not simply a diplomatic friendship between distant states. No. It is in many ways a relationship of kith and kin.

There are, according to the best estimates, about half a million people of Ethiopian descent living in the United States. This includes not just recent immigrants, but the children and grandchildren of immigrants, as well. Some 100,000 Ethiopian-Americans live in the Washington metropolitan area alone. I am sure that each Member of the Subcommittee can number Ethiopian-Americans among your constituents. In fact, I am certain you have heard from some of them in the days leading up to this hearing.

We are not claiming to have a perfect multi-party democracy in Ethiopia today, but we believe that we are on the right track. And we are making progress. We are hopeful that the U.S. Government will continue to provide us support and assist us in our democratization endeavors.

I can say with confidence that neither the Government of Ethiopia nor the people of Ethiopia desire any action or event that will jeopardize our friendship with the Government and people of the United States. We highly regard our reciprocal relationship, the way in which we share cultural, social, and spiritual values; our alliance in the global war on terrorism, which threatens civilization at its roots; our trade and investment ties.

I trust that the Members of this Committee and all Members of the United States Congress hold our friendship in the same high regard.

Thank you for the opportunity to allow me to participate in this hearing. I hope I have shed some highlights about the current situation in Ethiopia and will be happy to answer any questions that you may pose to me.

[The prepared statement of Ambassador Tessema follows:]

PREPARED STATEMENT OF HIS EXCELLENCY FESSEHA A. TESSEMA, CHARGÉ
D'AFFAIRES, EMBASSY OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

Mr. Chairman and distinguished Members of the Subcommittee:

I appreciate this opportunity to present the views of the Government of Ethiopia regarding the topic of this hearing. Our perspective is far more optimistic than the title given to this hearing may suggest, yet this optimism is grounded in the experiential reality of life and politics in Ethiopia today.

Indeed, we reject the notion that Ethiopia faces a "troubled internal situation." While I do not wish to play the role of Pollyanna and suggest that all is well and can never be better, I do wish to emphasize that the growing pains of an emerging democracy should not be mistaken for tyranny, which is the exaggerated picture that opponents of Ethiopia's constitutional government want you to see.

Let me divide my comments into three major sections: First, some historical perspective; second, a look at the current situation; and third, reasons for optimism in the future.

HISTORICAL PERSPECTIVE

Ethiopia and the United States have a friendship that has lasted more than a century. The two countries first established diplomatic relations in 1903. At the time, Ethiopia was one of only two independent countries in Africa (the other being Liberia). Ethiopia had been able to maintain its independence despite the relentless efforts of European colonizers to carve up the African continent like pieces of a post-prandial pie.

The Ethiopian-American friendship—and partnership in the pursuit of common interests—was interrupted only by the brutal dictatorship of Mengistu Haile Mariam, who came to power in a bloody military coup in 1974 and who was deposed 17 years later through the concerted sacrifice and determination of the Ethiopian people who persistently fought his reign of terror. One writer characterized Mengistu as someone “who held the singular distinction of being the most brutal tyrant on a continent known for brutal tyrants,”¹ explaining that Mengistu distinguished himself not only by his ruthless imposition of Marxist dogma on an unwilling populace, but also for the opulence of his ruling party’s lifestyle in the midst of the decade’s worst famine.”² His military regime reoriented the government and the national economy from capitalism to Marxism. It maintained a monolithic government and party structure, which kept a tight rein on the economy and society. The Workers’ Party of Ethiopia, organized according to the Leninist principle of “democratic centralism”, was the sole legitimate party in the country. It was a system that outlawed and suppressed political dissent and pursued policies, which are of authoritarian in nature and hostile to democratic governances.

Mr. Chairman, almost exactly 20 years ago, on the other side of Capitol Hill, the Committee on Foreign Relations of the United States Senate held a hearing on the topic: “Ethiopia Update: Forced Population Removal and Human Rights.” In introducing the hearing, Senator Nancy Landon Kassebaum, who was presiding in the absence of the chairman, said:

In late 1984, the Ethiopian Government initiated a policy of resettling Ethiopians from the northern drought-stricken areas where liberation movements have been waging war against the central government for some 20 years, to the fertile, less densely populated southern and Western regions of the country.

The Government’s goal is to relocate approximately 1.8 million people. To date, an estimated 600,000 have been moved. . . .

According to sources both in Government and out, there is reason to believe that 100,000 human beings have died as a direct result of the resettlement program. The American people have responded generously and without concern for the ideology of the Marxist government of Ethiopia, when hundreds of thousands of Ethiopians were suffering from drought and famine last year [1985].

Our concern for saving Ethiopian lives last year led to a massive United States Government and private sector effort to provide food and relief supplies to Ethiopia. Today, however, we find that the threat to Ethiopian lives comes not from famine but from the Ethiopian government.³

A few minutes later, Senator Rudy Boschwitz made a fitting historical analogy:

Very frankly, it sounds to me that what is happening in Ethiopia is more like the twenties and thirties in Russia when they collectivized and upward of 30 million people were killed, including about a third of those being Ukrainians. Now it appears that something similar to that is occurring in Ethiopia.⁴

And then Senator Paul Trible spoke of his own observations from his trip to Ethiopia:

I have walked the feeding camps of Ethiopia. I met with the principals of the Mengistu government. And I think it is very clear what Comrade Mengistu is about. His is a ruthless government. He is far more interested in maintaining power than he is in improving the woeful condition of these people.

¹ Lawrence Person, “Exit the Dictator, Stage Left: Ethiopia After Mengistu,” *Terra Nova*, Vol. 1, No. 1, p. 103.

² *Ibid.*, p. 101.

³ “Ethiopia Update: Forced Population Removal and Human Rights,” Hearing before the Committee on Foreign Relations, United States Senate, Ninety-Ninth Congress, Second Session, March 6, 1986 (Washington: U.S. Government Printing Office, 1986), p. 1.

⁴ *Ibid.*, p. 14.

At best, the Mengistu regime has evidenced a most callous disregard for life. At worst, Mengistu has carried out a march of death, a conscious policy of genocide.⁵

Finally, one of the witnesses at that hearing, Jason W. Clay of Cultural Survival, Inc., “a non-profit human rights organization located in Cambridge, Massachusetts,” testified:

Since 1980, our interviews with refugees from each of the major ethnic groups in Ethiopia indicate that the present government is attempting to systematically destroy culturally distinct groups within the country. This systematic destruction appears to be based on the goal of creating a strong central state upon which each local community is dependent.⁶

Mr. Chairman, I offer this short history lesson to indicate the situation from which present-day Ethiopia was forced to emerge. The Mengistu regime oppressed the people and repressed civil society. When our country was liberated from the dictatorship 15 years ago, our people had little idea of what self-government meant and even less experience of it.

What we faced in 1991 was succinctly explained by political scientist Richard Joseph of Emory University:

Ethiopia’s new government, led by Meles Zenawi, was left with the task of satisfying a number of competing imperatives—conducting democratic elections . . . ; reassuring international donors of his regimes commitment to democratic pluralism . . . ; and respecting freedoms of assembly, organization, and expression in a country that had never previously enjoyed them (and in which many political groups preferred to settle disagreements by resort to arms). Since 1991, the new regime has achieved a high degree of presentability and has overcome or defused many of these challenges.⁷

The transition from Communist dictatorship to emerging democracy was not immediate. Several steps had to be taken along the way. We first had to deal with what Hans Binnendijk of the International Institute for Strategic Studies in London called “revolutionary restructuring” in an article that, despite being written in 1987 (four years before Mengistu was driven from power), seems to be a remarkably prescient description of what actually occurred in the early years of the new Ethiopia:

Transition in a revolutionary situation need not always lead to a complete collapse of society. Once the autocrat is off the scene, a transition can bring a restructuring of the government within the institutions of the old society. This type of transition generally promotes a more stable outcome in the long-term and can in fact lead to strengthened ties with the United States

The revolutionary restructuring model generally includes street confrontations between supporters and opponents of the autocrat, but the transition itself is usually relatively bloodless. The autocrat usually flees the country or is arrested. Many of the existing economic, social, and political institutions remain basically intact. New political leaders emerge to run the government, and elements of the former military leadership either share power or acquiesce in civilian leadership. The new leadership is more pragmatic than ideological, less inclined to seek or hold power through violent means, and generally has some government experience.⁸

As I have indicated, the transition from dictatorship to democracy was complex. Immediately after the fall of the military regime a Transitional Government, composed of the then active political parties in the country was established. Pursuant to the mandate entrusted to it through the Transitional Charter, the Transitional Government laid the necessary conditions that led towards the adoption of the 1995 Constitution.

The 1995 Constitution marked a transition towards multiparty democracy. It provides for a federal state structure with nine member states making up the federation. It enshrined fundamental principles aimed at ensuring a democratic order and

⁵ Ibid., pp. 17–18.

⁶ Ibid., p. 46.

⁷ Richard Joseph, “Africa, 1990–1997: From *Abertura* to Closure,” in Larry Diamond and Marc F. Plattner, eds., *Democratization in Africa* (Baltimore: The Johns Hopkins University Press, 1999), p. 8.

⁸ Hans Binnendijk, “Authoritarian Regimes in Transition,” reprinted in Brad Roberts, ed., *The New Democracies: Global Change and U.S. Policy* (Cambridge: The MIT Press, 1990), pp. 219–220.

a political community founded on the rule of law. It is important to note here those principles such as Sovereignty of the People, Supremacy of the Constitution, the inalienability and inviolability of Human and Democratic Rights and the establishment of Accountability of Government.

Democratization has taken a center stage in the development discourse of today's Ethiopian politics. We recognize that there can be neither development nor stability without democracy. It is on the basis of such conviction that the Ethiopian Government has put in place conducive legal, policy and administrative frameworks that have concretely helped to implant and nurture democracy in the last decade.

In fact, establishing a democratic order is a long process that presupposes the building up and strengthening of institutions of democratic governance in the country. In this regard, Ethiopia has so far taken a series of measures to develop and strengthen democratic institutions that play important roles in monitoring misadministration, ensuring the protection of human rights and guarding against corruption. Accordingly, it has statutorily established the Ombudsman Office, the Human Rights Commission and the Federal Ethics and Anti-Corruption Commission. Ethiopia is also a party to major international and regional human rights treaties and is duly discharging its treaty obligations. The ongoing justice sector reform is also worth noting in this regard.

Democracy also implies the existence of a multi-party system and the holding of periodic elections. Ethiopia has come a long way in this regard. Since 1991, it adopted a multi-party system and has so far held three periodic elections, which over the course of time have demonstrated significant improvements. The U.S. Department of State summarizes this period nicely in its latest "Background Note" on Ethiopia, published just two months ago:

In Ethiopia, President Meles Zenawi and members of the [Transitional Government of Ethiopia] pledged to oversee the formation of a multi-party democracy. The election for a 547-member constituent assembly was held in June 1994, and this assembly adopted the constitution of the Federal Democratic Republic of Ethiopia in December 1994. The elections for Ethiopia's first popularly chosen national parliament and regional legislatures were held in May and June 1995. Most opposition parties chose to boycott these elections, ensuring a landslide victory for the EPRDF. International and non-governmental observers concluded that opposition parties would have been able to participate had they chosen to do so. The Government of the Federal Democratic Republic of Ethiopia was installed in August 1995 . . .

Political parties include the Ethiopian People's Revolutionary Democratic Front (EPRDF), the Coalition for Unity and Democracy (CUD), the United Ethiopian Democratic Forces (UEDF), and other small parties. Suffrage is universal at age 18.

In 2003, Ethiopia continued its transition from a unitary to a federal system of government. The EPRDF-led government of Prime Minister Meles Zenawi has promoted a policy of ethnic federalism, devolving significant powers to regional, ethnically based authorities. Ethiopia today has 9 semi-autonomous administrative regions and two special city administrations (Addis Ababa and Dire Dawa), which have the power to raise their own revenues.⁹

THE CURRENT SITUATION

This brings us to the events of the past year, events which brought us into this room to discuss Ethiopia's internal situation. We are here because of what happened after last May's highly successful parliamentary and local government elections, which increased the number of opposition party Members of Parliament from 12 to 172 and gave opposition parties all but one seat on the Addis Ababa city council.

The Third National and Regional elections held on May 15, 2005 represents a landmark in the advancement of democracy in Ethiopia. More than 27 million people were registered for the election, out of which 90% casted their votes. 77 political parties and 575 independent candidates have contested for seats in the Federal Parliament and State Councils. Over three hundred international observers and tens of thousands of local observers monitored the election process.

International and domestic observers of the elections agreed that they were conducted in a free, fair, and transparent manner. For example, the Carter Center sent a delegation of observers who concluded:

⁹U.S. Department of State, "Background Note: Ethiopia," January 2006; found at <http://www.state.gov/r/pa/ei/bgn/2859.htm>.

The May 15 parliamentary elections were Ethiopia's third national elections following elections in 1995 and 2000. The 2005 elections took place in a highly contested environment and in a diverse country where regional considerations are influential and with the majority of voters in rural areas.

In contrast with previous national elections, the 2005 elections were sharply contested and offered Ethiopian citizens a democratic choice for the first time in their long history. The ruling party took the initiative to negotiate with the opposition and level the playing field, and agreed to a number of important electoral reforms that created conditions for a more open and genuinely competitive process. The early negotiations between parties were, in and of themselves, a step forward for the democratization process in Ethiopia.

The National Election Board of Ethiopia (NEBE) implemented these reforms and adopted other important measures to increase transparency and responsiveness to political parties. Civil society organizations contributed greatly to the electoral process by organizing public forums, conducting voter education training, and deploying domestic observers. Most importantly, the Ethiopian public demonstrated their commitment to democracy through their active and enthusiastic participation in the May 15 poll. As a result of these efforts and others by diverse Ethiopian actors and institutions, the overwhelming majority of Ethiopians had the opportunity to make a meaningful choice in the May 15 elections. This significant accomplishment has the potential to lead to further democratization and to consolidate multiparty competition.¹⁰

The Carter Center report continues to say that, while some complaints about individual constituency results were credible, "the majority of the constituency results based on the May 15 polling and tabulation are credible and reflect competitive conditions."¹¹

The U.S. State Department in its statement of 16 September 2005 recognized the election "to stand out as a milestone in creating a new, more competitive multiparty political system".

Mr. Chairman and members of the subcommittee, as experienced candidates and political leaders, you know that no election is flawless, even in a mature democracy. (For instance, in 2004 the Washington state gubernatorial race was forced into a recount and many weeks of court hearings and rulings by judges about the validity of ballots and complaints about the process. This past December, the state of Virginia carried out a recount for its state's Attorney General contest. And I need not remind you of the controversy surrounding the 2000 presidential election in Florida.)

Ethiopia is learning, through experience, how to become a better democracy. We are pleased that international observers, such as those from the Carter Center, agree that Ethiopia is on the right path. The fact that opposition parties increased their seats in Parliament from 12 to 172 is evidence of progress, since a robust democracy depends in large part on the participation of an active and loyal opposition, engaging the majority party in debate, respectfully challenging the positions of the Prime Minister and his cabinet, and helping to hone proposed legislation into good, strong and effective law for the benefit of all the people.

Let me add that, despite protestation and calls for boycott by the Coalition for Unity and Democracy (CUD), a coalition of four political parties, more than 89 of its elected representatives have taken the seats in Parliament, seats that they won in fair, competitive elections. That number appears to be growing as constituents tell their elected representatives that a boycott is nothing but being on the outside looking in, rather than on the inside making a difference.

The new MPs have been embraced by their fellows. The Speaker of the House of Peoples Representatives made special effort to provide the necessary support for the newly elected legislators. He has made sure that members of opposition parties are included in delegations to international parliamentary conferences. All Members are invited to participate in debates over the issues of the day and proposed legislation that will affect the lives of their constituents.

Our country's parliamentary elections were followed by violence and demonstrations instigated by some groups and individuals who became disgruntled when their preferred outcome was not the same as the result on Election Day.

A few days after the elections took place, a group of opposition leaders asserted that fraud or vote rigging had taken place in a number of constituencies and insisted that the results be nullified. Following the submission of complaints by the

¹⁰ Final Statement on The Carter Center Observation of the Ethiopia 2005 National Elections, September 2005; found at <http://www.cartercenter.org/documents/2199.pdf>.

¹¹ Ibid.

contending political parties, the independent National Election Board of Ethiopia (NEBE) set up a transparent complaint review mechanism, which was also endorsed by the major opposition parties. The NEBE investigated all of the cases—something that severely taxed the board’s resources—and concluded that in 31 cases, there was sufficient evidence of fraud or other irregularities that new elections were ordered. What was odd about the list of 299 constituencies against which complaints were filed, however, was that it included some districts in which the opposition parties had fielded no candidates and others in which the opposition candidates had won the election! It was clear that the list had been drawn up prior to election day with the intention that it would be used to cast doubt on the legitimacy of the electoral process, regardless of the actual outcome of the vote. The Carter Center in its Final report noted, “Within the universe of seats impacted by the complaint process, many of these cases lacked sufficient evidence to warrant challenging the result.”

If only such an anecdote represented the worst of what happened in the weeks following the election. Unfortunately, in June and again in November 2005, people were killed and injured in public insurrections in Addis Ababa and other places—this much is true. What is not often reported in the news media is that demonstrators came armed with clubs and grenades and guns. Policemen were killed and injured, too, while trying to keep the peace. In addition, a significant amount of public as well as private property was destroyed and looted by the “demonstrators.” These public insurrections were unfortunately called by hardcore elements of the CUD, who rejected the outcome of the election and vowed to disrupt the constitutional order and persistently engaged themselves in fomenting riots and inciting violence.

I would like to make another historical point, this time drawn from the histories of other countries besides Ethiopia. Incidents such as those we experienced last June and last November are not unique to contemporary times. Other democracies have experienced incidents like those as they developed, grew and matured.

For example,

- in 1918 in Canada, there were protest demonstrations against a new military conscription law. On April 1 of that year, four men were killed when the army opened fire on a crowd in Quebec City. The coroner’s inquest would later show that these men were pedestrians who had not been involved in the protests.¹²
- in May 1886 at Haymarket Square in Chicago, there was a demonstration by laborers and their supporters who were demanding an eight-hour work day. When policemen attempted to disperse the meeting, a bomb exploded and rioting ensued. Seven policemen and four other persons were killed, and more than 100 persons were wounded.¹³
- in May 1894, federal troops were sent to break up a strike by Pullman car workers in Illinois. President Grover Cleveland sent 2,000 soldiers and by the end of the strike, 13 strikers were killed and 57 were wounded. An estimated \$80,000 worth of property was damaged.¹⁴

These were all regrettable incidents. They are inexcusable but they are lessons from history that show how it is possible to learn from mistakes.

In the aftermath of last year’s violence in Ethiopia, a number of individuals involved in the violence were arrested. Of these, a huge majority was released without being charged. There are fewer than 170 people in custody today. They are charged and awaiting trial.

In every case, those arrested and charged have access to legal counsel and are able to communicate with their families. My government respects the due process of law, and wants to see justice satisfied in every one of the cases that resulted from the violent actions of the past few months. Those who are acquitted will be free to return to their homes and businesses, while those who are found guilty will be sentenced according to the law.

We firmly believe that the true measure of democracy is its dispensation to justice. Hence we urge everyone to let the judicial process take its course.

Moreover, in an effort to prevent such violence from occurring in the future, Parliament has established an independent inquiry commission, consisting of religious leaders, jurists, and civic activists, which is not only looking into the root causes of the violence, but examining the behavior of the police and security forces. We un-

¹²“Conscription Crisis of 1917,” *Wikipedia*, at http://en.wikipedia.org/wiki/Conscription_Crisis_of_1917.

¹³“Haymarket Square riot,” *Columbia Encyclopedia*, Sixth Edition, 2001–05, at <http://www.bartleby.com/65/ha/Haymarke.html>.

¹⁴“Pullman Strike,” *Wikipedia*, at http://en.wikipedia.org/wiki/Pullman_Strike.

derstand that, as Ethiopia develops into a more mature democracy, public demonstrations of sentiment in favor of an issue or against another will become more frequent. We want such demonstrations to be peaceful in their goals and in their practice.

Drawing lesson from the last elections, the Government is now taking measures to reform the procedure and code of conduct of the House, to enhance the implementation capacity of the National Electoral Board and review and enhance the media laws. Accordingly, the Government hired foreign consultants, to undertake studies and present a comparative analysis in light of the experiences of four countries with rich democratic traditions, i.e. Germany, United Kingdom, Canada and India. We believe that this approach would not only pave the way to adapt the experience of other countries to our objective reality, but would also ensure that views of all stakeholders are taken on board. It is my humble view that this process would help narrow the differences among political parties and promote a healthy competition and cooperative spirit.

Concerning the Rules of Procedure and the code of conduct of the House of Peoples Representatives, the consultants have now completed their study. And it is expected that the political parties in the House would soon start negotiation on the basis of the study with a view to reforming the rules of procedure and codes of conduct of the House.

The foreign consultants have also finalized and submitted their report on the reform and enhancement of the capacity of the National Election Board of Ethiopia. Once the Plan of Action is finalized, the matter will be presented for discussion for the political parties in the parliament. After the necessary revision of the election law, it is expected that the House in accordance with the Constitution will appoint a new electoral board.

The review of the media law is indeed in progress. We hope it will be finalized in the coming few months. I would like to take this opportunity to thank the United States Government for its support in this process.

At this point I would like to address what should be expected of the political opposition in Ethiopia, individuals and groups whom we hope understand what it means to be the "loyal opposition" as that term is used in mature parliamentary democracies such as the United Kingdom, Germany, and India.

As you know, whether owing to internal disarray or a purposeful attempt to undermine the legitimacy of the Ethiopian government, some political figures chose to boycott Parliament even after they were elected to serve their constituents.

In addressing a similar situation some years ago, Professor Christopher Lingle of the University of Natal pointed out the irresponsibility of such a stance:

It would seem apparent that those who endorse . . . election boycotts have not examined the issues fully. In all events, the call for [a] boycott has occurred without offering a fully articulated, coherent set of alternatives. It is certainly the case, for a variety of reasons, that the issues related to the boycott have not been aired openly . . . As a consequence, a strong argument is made that the most likely result of continued rejection of the use of existing political structures will be violent upheaval.¹⁵

It must be understood, not least by supporters of the mass democratic movement, that participation in democratic structures necessarily involves bargaining and compromise—not to be confused with co-optation. In the worst of all possible worlds, continued non-participation simply insures that the least principled and most unscrupulous individuals will be able to take what power there is and benefit materially from political office. By allowing the more readily corruptible to occupy political space, non-participation is counterproductive: instead of progressive leaders developing inroads to advance the objectives of the mass democratic movement, less scrupulous elements set about to line their own pockets.¹⁶

As a practical matter, Professor Lingle points out, participation in public office brings with it increased access to the media, legal protections associated with holding public office, "and a means to develop and expand a political power base." Refusal to participate fully in electoral politics, he argues, results in "real costs which hinder the desired outcomes. The costs of refusal to participate are well defined. New strategies must be developed to avoid or minimize these costs."¹⁷

¹⁵Christopher Lingle, "Strategies of Participation," *Southern African Freedom Review*, Autumn 1989, p. 1.

¹⁶Ibid., pp. 4-5.

¹⁷Ibid., p. 5.

One of these costs has been international ridicule. Some of you may have seen an article that appeared in the well-respected, London-based newsletter, *Africa Confidential*, last month. The article said, in part:

Nine months after May's controversial elections, Addis Ababa's councillors have still not taken their seats. The four-party opposition Coalition for Unity and Democracy (CUD) won the capital by a landslide, taking 137 of 138 council seats and all 23 of the region's parliamentary seats. The coalition (All Ethiopia Unity Party, AEUP; Kestedamena (Rainbow Ethiopia); Ethiopian Democratic League, EDL; and United Ethiopia Democratic Party, UEDP-Medhin) then refused to take its parliamentary or council seats, as a protest against election abuses (AC Vol 47 No 1 & Vol 46 No 23). Splits have since weakened its members' resolve but there's still no city government.

Most members of the CUD Central Committee opposed a boycott but, with strong support from exiles in the United States, CUD Chairman Hailu Shawal, who firmly opposed participation, outmanoeuvred them. Hailu was aiming to turn the coalition into a single party, in which his own AEUP's majority would give it control. The CUD's other main component, UEDP-Medhin, walked out. It now has a new chairman, Lidetu Ayelew, and almost all its members of parliament have taken their seats.

Most CUD MPs—92 of 109—have decided to do the same and are busy organising party caucuses and new leaderships for AEUP and Rainbow, to allow full legislative participation. The government has met some opposition demands. Consultants from Canada, Germany, India and Britain are reviewing parliamentary procedures; others are reviewing the press law and the National Electoral Board (NEB).¹⁸

You have no doubt heard the expression—I think it was expressed in the first *Spider-Man* movie, but that does not diminish its truth—that “With great power comes great responsibility.” Political influence and political activism also entail great responsibility. Our concern that some opposition groups in Ethiopia, whether because they are squabbling amongst themselves or because they are working purposefully to undermine the constitutional order of our country, is shared by U.S. officials, as well. It is worth noting that, at a news briefing last December 5, Assistant Secretary of State for African Affairs Jendayi Frazer stated:

I must say also that it's the responsibility of the opposition as well because when the opposition takes stones and pelts the police forces, they have to respect the rule of law when they're demonstrating freely. And so I think that the responsibility—this is true of Ethiopia but it's true across Africa—there's responsibility that has to be there for both the opposition and for the government. Whereas we hold the governments even more accountable because they are supposed to be the upholders of the rule of law, we still must say when the opposition goes out of bounds as such.

And this is a very diverse opposition in Ethiopia. There are some who are demonstrating to sit in parliament, to create greater democratic space. There [are] others who are demonstrating to overthrow the government. And that's true that there are different—there are some who want to reclaim Eritrea.

So this opposition—there [are] democrats within the opposition and there are non-democrats within the opposition.¹⁹

The overarching ramifications of Dr. Frazer's remarks about the importance of the rule of law are taken very seriously in Ethiopia. Ethiopians share a reverence for the rule of law, and of due process of law. We share the view of law professor Daniel D. Ntanda Nsereko of the University of Botswana, who wrote in *Human Rights Quarterly*:

Law is the antidote to anarchy. It recognizes personal rights and imposes duties on citizens. It also regulates the relations between citizens among themselves and between the citizens and the community as a corporate body. In general, the law prescribes what is acceptable conduct for the society it governs.

Observance of the law, particularly law that is consonant with the principles of human rights, is essential to the continued existence of civil society and to societal harmony. The blessings of life under a civil society would doubtless be jeopardized, if not lost, were the law not observed. Fortunately, the majority of citizens will normally observe the law voluntarily, since they appreciate the im-

¹⁸ “Ethiopia: Waiting but not Sitting,” *Africa Confidential*, Vol 47, No. 4, 17 February 2006.

¹⁹ “Africa Update: Democracy and Human Rights,” Briefing at Foreign Press Center, December 5, 2005, at <http://www.state.gov/p/af/rls/rm/2006/59842.htm>.

portance and the advantages of so doing. However, there will always be a minority of citizens who, out of carelessness, selfishness, or social maladaptation, will flout the law, disrupting relations within and causing suffering to the community. As a preventative, civil society establishes mechanisms for dealing with these disruptive elements. The mechanisms are used to remind or coerce these elements to conform with the accepted standards of conduct or simply to deter them from their unacceptable conduct, and generally to secure safety and security for all citizens.²⁰

I can assure you, Mr. Chairman and members of the subcommittee, that Ethiopia's government and people are both equally committed to respect for the rule of law and to seeing that all those accused of crimes are accorded full due process of law, no matter what they are charged with.

My government believes that peaceful resolution of political differences is the best for Ethiopia. We believe that the ruling and loyal opposition parties should not be viewed as adversaries. Rather they should be viewed as political forces that work in harmony for the betterment of the lives of all Ethiopians. It is in this same spirit that the government has also been engaging itself with the civil society in the democratic process of the country.

REASONS FOR OPTIMISM

While the political situation in Ethiopia gives us much to ponder, I remain convinced that there are reasons to be optimistic about the future. Let me briefly mention just a few of these reasons.

First, democratization has taken a center stage in the development discourse of today's Ethiopian politics. Despite the challenges, Ethiopia is moving on the right direction towards democratization.

A second reason for optimism is that Ethiopia is experiencing strong economic growth. Our gross domestic product grew by 11.5 percent in 2004 and 9 percent in 2005. Despite drought, the agricultural sector has grown by 15 percent and exports have grown by 24.5 percent in the past year. Primary school enrollment rate, which was 61 percent in 2000/2001 grew to 79 percent in 2004/2005. Coverage of health services at about the same time grew from 52 to 70 percent. Infant mortality rate (under age five), which was 167/1000 in 2002/2003, declined to 97/1000. There is a construction boom in Addis Ababa and other cities, with residences, offices, retail shops, and manufacturing facilities being built at an unprecedented rate.

Third, despite increasing tensions between religious groups in many countries of the world, the major religions live in harmony in Ethiopia—so much so that we humbly offer our experience as a model for other religiously pluralistic countries.

A fourth reason for optimism is the recent U.S. diplomatic initiative to bring about a permanent settlement for the Ethiopia-Eritrea border conflict. The situation is still delicate, but with commitment and cooperation from the other side, we can envision demarcation of the border in an orderly fashion that assures lasting peace between our countries. Success, however, depends on the support of the international community and assurances of confidence from friends like the United States.

In conclusion, I would like to return to my opening remarks about the close friendship between Ethiopia and the United States. This is not simply a diplomatic friendship between distant states. No, it is in many ways a relationship of kith and kin. There are, according to the best estimates, about half a million people of Ethiopian descent living in the United States. This includes not just recent immigrants, but the children and grandchildren of immigrants as well. Some 100,000 Ethiopian-Americans live in the Washington metropolitan area alone. I am sure that each Member of this subcommittee can number Ethiopian-Americans among your constituents—in fact, I am certain you have heard from some of them in the days leading up to this hearing.

We are not claiming to have a perfect multi-party democracy in Ethiopia. But we believe that we are on the right track. And we are making progress. We are hopeful that the US Government will continue to provide its support and assistance in our democratization endeavors.

I can say, with confidence, that neither the government of Ethiopia nor the people of Ethiopia desire any action or event that will jeopardize our friendship with the government and people of the United States. We highly regard our reciprocal relationship—the ways in which we share cultural, social, and spiritual values; our alliance in the global war on terrorism, which threatens civilization at its roots; our

²⁰Daniel D. Ntanda Nsereko, "The Police, Human Rights, and the Constitution: An African Perspective," *Human Rights Quarterly*, Vol. 15, No. 3 (August 1993), pp. 465–66.

trade and investment ties. I trust that the Members of this subcommittee, and all Members of the United States Congress, hold our friendship in the same high regard.

Thank you for this opportunity to participate in this hearing. I hope that I have sufficiently addressed your concerns and will be happy to answer any questions you may wish to pose.

Mr. SMITH OF NEW JERSEY. Mr. Ambassador, thank you so much for your testimony.

Let me just begin by reading a statement that Amnesty International, which the Amnesty Director for Africa, Lynn Fredricksson, will make in the third panel. And she makes the point that Amnesty International is increasingly concerned that the Government of Ethiopia is systematically violating its citizens' most basic human freedoms.

She goes on to say that the security forces have committed serious human rights violations with impunity against demonstrators and political detainees.

How do you respond to that? Is that true? Is that not true?

Ambassador TESSEMA. Thank you, Mr. Chairman. I haven't seen the particular report that you are referring to.

Mr. SMITH OF NEW JERSEY. Well, just that statement.

Ambassador TESSEMA. First, regarding the detainees who have been in jail since the June and November crises, Mr. Chairman, I can assure you, and there are other international organizations, including representatives from these civil societies, that are visiting these detainees and prisoners. There is not any way there is foresight, abuse or lack of access to their lawyers, to their family.

We have extensively brought to the attention of the Members of Congress that this is not the case. If there is any specific allegation then I can look into, but there are no grounds for such. They are treated in the best way we are able to do given that overall our prison system is not up to the levels of international standards. But there are no grounds for lack of access to health care or anything like that.

Mr. SMITH OF NEW JERSEY. Let me ask you then, if we will be asking Manfred Nowak, I will initiate a letter today to the Special Rapporteur on Torture. We will ask him to visit Ethiopia and to visit specific individuals and sites in Ethiopia. Are you prepared to say that your government would accept and allow him unfettered access under his terms and conditions?

Ambassador TESSEMA. No, sir, I am not in a position to say either my government will or will not accept him there. I am here to present to you what has transpired in the last 1 year. Mr. Chairman, as you know, when this request comes either through your office or through any other government office, my government will respond to it at that time.

You are putting me on the spot as if I have——

Mr. SMITH OF NEW JERSEY. Well, I am following up on your statement a moment ago.

Ambassador TESSEMA. I am not even aware of under what circumstances a Special Rapporteur on Torture will go to Ethiopia. As you know, I was at the United Nations for 10 years. And under the United Nations Procedures, a special rapporteur to particular countries are assigned under different circumstances. So if there is a request, I will be more than happy——

Mr. SMITH OF NEW JERSEY. The special rapporteur has an ability to initiate an investigation that he deems necessary. Obviously the host government needs to allow him to have access under his terms and conditions. And part of those terms and conditions always is that people do not have, or are not retaliated against who speak out, and that he has the ability to go where he wants to go, and visit who he wants to visit with.

And I ask that because in your response to my first question, you talked about the access issue, and that people do have access to the prisoners. We seem to have a very different set of information on that, because my understanding is that there is a difficulty that people have access to people in the prisons. Some perhaps, but family members, human rights organizations, do not have unfettered access.

And so that request will be made to him. Whether or not he follows up on it will remain to be seen. But I would hope that you would say today but of course.

Ambassador TESSEMA. Mr. Chairman, as I said, I can assure you my government has nothing to hide. There are no grounds for allegations of torture. Our government has assured your office and others that these allegations are untrue. What I said was that I am not sure under what circumstances, under what terms of reference, you are asking me that I can accept or reject—

Mr. SMITH OF NEW JERSEY. Let me ask you. Amnesty International again in their statement, and I will just read one declarative statement that they make in their opening testimony: "The security forces have committed serious human rights violations with impunity against demonstrators and political detainees."

Is that true or false?

Ambassador TESSEMA. It is false. Amnesty International cannot back that up, and we are very willing to clarify to your office with all the details once we know which specific allegations they are talking about.

I have seen Amnesty International reports, and with all due respect to the organization, sometimes they cannot substantiate their allegations, sometimes they do. But I can assure you, such allegations are not true.

Mr. SMITH OF NEW JERSEY. Well, I hope you will stay for the third panel and listen to their statement. Because if you would like, we could call you back at that time to ask you to respond to their testimony.

Let me ask you as well, the statement is made again by Amnesty that they hold that the charges of treason, outrages against the Constitution, organizing and inciting armed rebellion, and acts of genocide levied against 131 CUD leaders, human rights defenders, and journalists, most of whom were in physical custody, have no merit. How do you respond to that?

Ambassador TESSEMA. Can you repeat that question? What allegations?

Mr. SMITH OF NEW JERSEY. Amnesty International holds, and I quote, that "Charges of treason, outrages against the Constitution, organizing and inciting armed rebellion, and acts of genocide levied against some 131 CUD leaders," they footnote that and say it is now 115 since charges were dropped against 18, "human rights de-

fenders and journalists, most of whom were in physical custody, have no merit." How do you respond to that?

Ambassador TESSEMA. Sir, these cases are back in the courts. I think, as you know, Mr. Chairman, rule of law is a fundamental principle of a democratic society. These cases are in the courts. The defendants have their lawyers representing them in the courts. Why would anybody want to prejudge? Unless there is a general bias against the court system. Some detainees have been released, some remain in detention.

We have to wait and see. The government has pressed charges, and the courts are doing their duty. I think it is better to leave it at that and see what happens.

Mr. SMITH OF NEW JERSEY. When Secretary Yamamoto was here I raised the case of Mr. Keflee, who two courts found him, or the charges lobbed against him, as being without merit. And yet the prosecutor and the government continued to hold him without justification. How do you respond to that?

So here the courts stepped in, did what they were supposed to do: Adjudicate a matter of law and a charge, and they found him to be without blemish and without having committed an infraction. And yet, he is still in prison. We find that very baffling.

Ambassador TESSEMA. I have no specific knowledge of the case you are mentioning. I am really baffled by the situation you raised, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. The distortion?

Ambassador TESSEMA. No. Unless the special prosecutor has the legal basis to appeal, there is no way that this person would stay in jail just because the government prosecutor has said he should remain in detention.

Mr. SMITH OF NEW JERSEY. Can you guarantee us today he will be released immediately?

Ambassador TESSEMA. I can't guarantee a release.

Mr. SMITH OF NEW JERSEY. Will you personally, now that you know that there is a concern here about his case and others—

Ambassador TESSEMA. I can only look into this matter and get back to you.

Mr. SMITH OF NEW JERSEY. I would appreciate that very much.

Ambassador TESSEMA. How could I, in my capacity as a civil servant, go over the jurisdiction of the courts and ask the courts to release him? I don't think that is realistically expected of me.

Mr. SMITH OF NEW JERSEY. Let me ask you with regards to torture, inhumane, cruel, and degrading treatment, all of the items that are mentioned and proscribed in the convention against torture. Have any of the detainees been subjected to any cruel, inhumane, degrading, or torture treatment?

Ambassador TESSEMA. None whatsoever, Mr. Chairman. On the record, none whatsoever.

Mr. SMITH OF NEW JERSEY. Let me ask you with regards to the 89 members you point out have taken their seats in Parliament. It does strike me that that means that if you don't take your seat in Parliament, you take your seat in the jail: You get incarcerated.

Let me just point out, and maybe you could explain this, there are parliamentarians around the world who get elected and don't take their seats because they have an objection. In the case of

Northern Ireland, for example, members of the Sinn Fein party get elected, but because the oath of office requires them to swear oath and allegiance to the Queen, which they don't recognize, they do not take their seats in Parliament. Now, that is their prerogative, but they are not arrested, they are not incarcerated, and they are not cruelly mistreated as a result of that.

Those who decided not to take their positions, you know, not the 89, but the others, why is it that they were rounded up and put into prison?

Ambassador TESSEMA. Mr. Chairman, there is no single person that I know of in Ethiopia who is incarcerated because they refuse to sit in Parliament. There are elected parliamentarians who have chosen not to join the Parliament. They are living peacefully. There are those who joined the Parliament, doing their share. And there are those who, as far as the government is concerned, have conspired and participated in trying to overthrow the government, to bring genocide to the country by pitting one group against the other. That issue is in the courts. None of these people have been put in jail just because they refuse to join the Parliament.

Not only that. The government is now trying to convince the opposition to take over the Addis Ababa city administration. The opposition won 137 seats, and none of the opposition candidates are in jail, sir. This is not true that we put people in jail because they refuse to go to Parliament. That is completely not true. Many of the opposition have not joined the Parliament, and it is their choice. It is not illegal not to join Parliament.

Mr. SMITH OF NEW JERSEY. You said with great power comes great responsibility. You point out our concern over some opposition groups in Ethiopia, whether because they are squabbling among themselves or because they are working purposefully to undermine the Constitution of our country, shared by United States officials as well.

My question is, based on all of the available information that my staff and I have been able to glean from multiple sources, especially reputable human rights organizations and our own U.S. Department of State, which just released their most recent country reports on human rights practices—it just came out, as you know—all of it paints a very, very bleak, and I think very poor, picture of human rights in Ethiopia.

In my opening statement, I was very critical of President Meles as well as the mistreatment of the detainees. What I have said here today, would that land me in prison if I were in Ethiopia today? As violating the constitutional order?

Ambassador TESSEMA. No, sir. We are talking about Ethiopian opposition groups that want to have it the most. They want to go through the legal way of changing a society, pursuing a democratic order in the country. But whenever they don't find it necessary, they want to go through illegal trials and what-have-you, which was the history of our country unfortunately for some time.

If, in fact, anyone who wants to help us go through this democratization process, one way or the other put us on the right track, we do understand the relationship between power and responsibility. But if, in fact, our friends, supporters, Mr. Chairman, like yourself, and the Committee that has the intention of helping Ethiopia go

through these hard times, we seek and ask for your understanding, for your balance. That just because the government—and we take our responsibility very seriously.

Just because at one time in history, at one time in an election process one party in power does not necessarily mean all responsibility lie on it. Loyal opposition, all others have also.

Mr. SMITH OF NEW JERSEY. Mr. Ambassador, this is what strikes us as so damning of the Government of Ethiopia.

Besides all of the detainees that we have spoken about, some of the individuals—and Amnesty International lists more than half a dozen in their testimony—one of whom was the UN Special Envoy and former prosecutor at the International Criminal Tribunal for Rwanda, Dr. Hilawarin is the recently-elected Mayor of Addis. I mentioned Mr. Keflee.

It just strikes us, the former Chair of the Ethiopia Human Rights Council is in prison, and a prisoner of conscience. And you testify to us that there is nothing wrong here with these people being held against their will in jail.

And we are not talking about how sordid the actual physical presence of that jail is. Any detention, even the most pristine jail, would be wrong for prisoners of conscience. It is that they are being held against their will. That is why we are so concerned about human rights in Ethiopia.

I mean, you have seen the list, at least I hope you have seen the list that Amnesty has compiled. And they are not the only ones. Our own government has compiled one, as well. These are eminent citizens. And yet, because they disagree, they are in prison.

I have to say with all due respect, Mr. Ambassador, this is doing grave injury to our relationship as a country. We are delighted that so many people showed up at the ballot box to cast their vote in favor of the candidates of their choice. What followed thereafter, as well as what happened on the day of the election, according to the EU monitors at least—you keep quoting the Carter Center, you don't quote the EU monitors—was very significant and very disconcerting to all of us, but if you could, why these prisoners of conscience? You know, I find it appalling that these people are being held.

Ambassador TESSEMA. Mr. Chairman, not only do I know the list, I also know the individuals. It does not give me pleasure that professors and human rights activists are in jail. That is not the issue. I am also, as an Ethiopian, I am also a member of that family.

But we generally believe justice has to be served equally. If we are going to list people based on their past history, I don't think we are asked to push democracy in Ethiopia. As painful as it is, because you know this individual, because they have served us, how about the seven police officers that were also killed in one single day trying to keep the peace? How about the family property that were destroyed?

Yes, I can understand. But we are talking about rule of law. That is what they are. I think you have to give the due process the benefit of the doubt. Some who are found guilty have to serve their sentence, despite their old age, despite their reputation as academicians. Otherwise we would only be going after anybody who has

committed a crime, if we are going to satisfy people by their experience.

This I understand very clearly, because I live in Washington and I know about who you are referring to. But we can assure you, these people are not there because they are human rights activists. They are not there because they are journalists. The government has a case against them. The court system is working. They have reports. Their lawyers are presenting their cases. I don't think I can say more than this.

Mr. SMITH OF NEW JERSEY. Let me just finally say that the use of violence to jail and to intimidate the opposition in my view does not represent progress, but regression. And you keep saying the rule of law; it is the rule of just law.

When there are catch-all phrases, as I mentioned earlier, that we have seen in places like Vietnam, the Soviet Union, the Peoples Republic of China, that are used to dragnet, to get people into prison where there has been no infraction. They simply were trying to exercise their democratic rights, freedom of speech or assembly, and for that they are accused of treason.

I was frankly, and I believe Greg was, as well, taken aback by the sense of malicious intent that I came away with when I met with President Meles. He was just waiting with baited breath, just waiting to arrest and incarcerate.

When we met with some of the opposition leaders in Addis, those opposition leaders were followed by the secret police, who made really very little secret about their effort to intimidate. They were meeting with me. And there they are, following them around, and I, no doubt, was followed, as well. So there is a real concern about the rule of just law not existing.

Finally, when I read about this hearing tomorrow, and I will read the print and the broadcast transcripts, will the news story be fair and objective? Or will I read just your side of the story, as told? Because I will read it. And I will do a speech on the floor. And I give you my word, I will talk about whether or not it was a free and a balanced approach taken by the media. Will I read all about your testimony to the exclusion of those who criticize?

Ambassador TESSEMA. Mr. Chairman, are you asking me?

Mr. SMITH OF NEW JERSEY. Yes, I am asking you.

Ambassador TESSEMA. Are you asking me if it will be fair?

Mr. SMITH OF NEW JERSEY. Yes.

Ambassador TESSEMA. Could you repeat your question?

Mr. SMITH OF NEW JERSEY. Tomorrow when I read the news accounts of today's hearing—

Ambassador TESSEMA. Where?

Mr. SMITH OF NEW JERSEY. In your country, in Addis.

Ambassador TESSEMA. All right.

Mr. SMITH OF NEW JERSEY. Will I read an honest portrayal of what occurred here, or will I just get the government's side of the story?

Ambassador TESSEMA. Mr. Chairman, I want you to know there are over 80 private publications in Ethiopia today.

Mr. SMITH OF NEW JERSEY. And they are never harassed? Honestly, I am asking you.

Ambassador TESSEMA. No. The newspapers are still being published and produced, they are still working.

Mr. SMITH OF NEW JERSEY. No, not working. Are they harassed? Ambassador TESSEMA. No.

Mr. SMITH OF NEW JERSEY. Is the content of what they write in any way dictated by the state, through harassment or intimidation?

Ambassador TESSEMA. Well, Mr. Chairman, can I answer that?

Mr. SMITH OF NEW JERSEY. I want you to.

Ambassador TESSEMA. There is no harassment because of what they write. There is no censorship because of what they write. They can write whatever they please.

Some of the newspapers are read here in town. You can ask your staff, and maybe they can be translated. And if you look at them, when they cover issues on Ethiopia, it all depends which paper is printing. Some will be fair to me, and some won't be fair to me, and the same to the Chairman and others.

I couldn't tell you what newspapers in Ethiopia will say tomorrow, because I don't have any control over them. They are a private press. And I don't even know what the government's own media will say. I have to wait and see. I will be more than happy to compare notes sometime on how it is covered in Ethiopia.

Mr. SMITH OF NEW JERSEY. Ranking Member Payne.

Mr. PAYNE. Thank you very much. I, too, have a question regarding, as I mentioned in my testimony, Mr. Alazar, who I visited in prison, a person who was invited to come to Ethiopia, an Ethiopian who left Ethiopia and resided in the United States, and is still in prison. He has been in prison for 5 years. He has not yet been able to have a trial. A week ago he was brought to the court, but he was told that the judge that was going to hear his case resigned. And therefore, a new judge would have to be assigned.

I wonder if you could have your authorities look into the specific case again to find out when Mr. Alazar will be able to have a trial. It has been 5 years without a trial. And as I have indicated, I have visited him in prison. And this is unjust.

And could your Embassy respond to my office to find out, or the Committee, what will, and when, a trial will be held for Mr. Alazar?

Ambassador TESSEMA. Thank you, Congressman Payne. I will. From what I understand, Mr. Alazar was charged with corruption in the banking system in Ethiopia. It has nothing to do with, as you know, anything related to the election in November. As you know, it was a long time ago.

I have not followed the details of the case, but I will get back to you. I have to find out where his case stands.

Mr. PAYNE. All right, thank you. As we indicated earlier, NDI, IRI, and IFES were expelled from the elections in Ethiopia. And I am wondering, we heard some justification which seemed not to make any sense. I don't know, did you follow that closely? And what was the rationale for these organizations? They said they weren't registered properly. One of the problems they weren't registered properly was that they had been there for months and months, and each day went to try to be registered, but they were always told you have to come back the next day.

So I wonder if you know whether these organizations will be invited back again to be registered so that they can do work that they would like to do in Ethiopia.

Ambassador TESSEMA. Thanks again, Congressman. I think when things like this happen they continue to be problematic to us and to organizations. As a matter of fact, the National Democratic Institute has participated in two elections. They were working in Ethiopia. They come for observation. There is a process that they have to go through. They are not there all the time.

For some reason that can only be explained by the organization itself, this time around NDI didn't go through this election process, this registration process, which is what every sovereign country does, either for permanent status, or for 3-month status. We have to know, they have to be certified.

As I said, we have heard from them that they were told verbally from some authorities that they may not need to register, or they need to register, or they were in the process of registering, even though they were there for months. Therefore, they were asked to register. This was the right process, and we were ready to receive them once they come through that registration process.

I have received communication from the Chairmen of both organizations that they will, in the next election, look forward to coming. They will contact us whenever they want to formalize going to Ethiopia, and we are ready to accommodate them. It is a simple procedure, and there are no other issues.

They did not go through the legal registration process, and we asked them to do that. They functioned for over 4 months illegally. They were asked to leave the country. There wasn't anything that has to do with the election, with their views. It was simply what was done. Except these were organizations we came to know are very influential organizations. So the point was taken more than what it should be.

They are asked to do that. They were expelled, they come back, they apply for registration, they continue their work. There is no need for other procedure. All we ask of them is to do what they do in other countries either through the Embassy or through the justice system, and we look forward for their interest and application to come.

Mr. PAYNE. Thank you. Their comments were a little bit different. They were attempting to be registered, but each time they went they were thwarted. And of course, at a particular time they were told you are not registered, and you can't operate in the country not being registered. Which is true. If you go to a country, you need to register.

However, if you close down each time you try to come to register then, you know, it seems like the responsibility is on the government. But I would hope that, you see, one of the things that becomes confusing is that the registration of the people of Ethiopia was outstanding; 90 percent of the people were registered, 85 percent of those registered came out to vote. You saw 15-percent increase in the number of seats in Parliament, going from 12 to 170.

So you look at some things as being very positive. All the seats in Addis won by the opposition, except one. Of course, maybe the mayor wishes he didn't win because he is in prison right now.

But on one hand, and I met with the commission, the electoral commission, which seemed to be honorable people, well-qualified and so forth. So on one hand there was evidently some fair election going on, if you went from 12 seats to 170 seats. Of course, you are still only a third of the seats. However, something had to go right, or somebody really messed up for that many people to get elected.

But then, on the other hand, you turn around and eject organizations that are there to monitor the election. So you start on one hand with the massive voter registration effort, and then, though, with the rerun of the 33 seats or 31 seats, whichever it was, 31 or 33, in areas where the opposition was strong, all of a sudden those reruns though all turn out that no one from the opposition won the rerun. So once again, it seems like there is an intent to do the right thing, and then there seems to be a drastic shift that isn't logical. You lose every single contested seat? Something sounds that it just doesn't seem to add up.

Is there any explanation for what the shift was so drastically in the contested elections, that the opposition did zero in those elections?

Ambassador TESSEMA. I think it will be very difficult, given the time constraints, to extensively elaborate on what happened. The constituency with the ruling party was strong. The opposition was strong. But you know, in most cases—and again, I allude to the Carter Center report—you have to go to the oppositionist complaint. There were 299 incidences that the opposition felt should be looked into.

In many of the complaints, the opposition did not even have a candidate. It was simply prepared, even before the outcome of the polling. In some of the contested elections, the opposition had already won, and they still have submitted the 299 incidences to be looked at by the National Election Board. And this was verified in the presence of international observers during the investigative process, where, as I said in my remark, only 31 of them were found to be qualified for reruns.

Therefore, you have the urban centers, the rural areas, where the ruling party has stayed longer, it has much more presence, completely won by landslides. In urban areas the competition was first, and the conjecture was that if the opposition won 100 percent in Addis, so it should go for the rest of the country. That was not the case. That is not true. That is one of the conclusions that led us to this crisis.

As I indicated earlier, the opposition won 137 of 138 seats in the city council, and 23 seats for the national Parliament. The government is still today waiting for the opposition to take over the Addis Ababa city council. It has in fact postponed the decision for another 4 or 5 weeks until they come. Therefore, the dynamics of the country, it is a very complex country. You have different nationalities, independent areas. And there are organizations that are running at the regional level, at the national level.

As far as I can understand it, the voting was great by any standard, was by the ruling party, by the government, by the opposition standard, by international observers. What happened post-election is what I tried to explain. Some extreme elements of the opposition were already committed, long before the voting, that they decided

if this government is defeated by ballot box, they are going to take over. If not, they have to get rid of one or the other. This is a reality, and this is what is considered the core of this. Not all of them.

To this date we have members who have joined the Parliament, that most of the opposition have joined the Parliament. Of 172, 150 are in Parliament. And yet, including their constituents in Washington, is day in and day out condemning them for being stakeholders and participating in the Parliament.

Therefore, it is not something that is not unexplainable. It is in the nature of our infant democracy that political organization may win, strong in one region or one area, and completely in the other. Given the political nature of the opposition, that was committed, as I say, the emotional kind, we were dragged down to this, where we should be celebrating the outcome of the election.

Mr. PAYNE. Well, let me just conclude once again by indicating my disappointment of some of the information that has been brought to my attention: The behavior of the government to some of the media, the harassment of the press, the lack of timely trials, the expulsion of the independent political NDI and IRI and the others, IFES.

I would hope that you would take back to your government what has been said here. The information that we have raised is a matter of record, and we would want to hear a response from the government.

We believe that Ethiopia is an important country, as I indicated before about my personal relationship with Ethiopia. However, we do believe it is on the wrong track. We do believe that much better can happen. If you have a 13- and a 9-percent increase in the GDP over a course of 2 years, there is a move going on in the right direction.

However, the government needs to, and I might say that your prime minister is a person who can't say he doesn't understand, because he has read every book about American democracy when in his office, and he had more books than I have. And the difference was that he read them. So he knows what is expected. You can't say that he came from the bush and didn't understand the government.

I think that much reform has to be done in order for Ethiopia and its people to take its rightful place. I think that it would be important to have them as allies for the war on terror and for peacekeeping in the world.

However, the country is going in the wrong direction, and we are going to keep the pressure on. Like I said, I don't necessarily listen to groups that make phone calls or email. I listen to them, but that doesn't necessarily sway me one way or another. The facts are what sway me. Sometimes newcomers get swayed when they come in with large numbers.

We want to see the people of Ethiopia have a quality of life which they deserve. And we are going to keep pressure on. I would hope also that your government would certainly reconsider its agreement made in the Algiers Accord to accept the decision of the Borders Commission. And for it not to accept it after it found it had

a decision it didn't like was not in the best interest of peace and prosperity.

And so I did appreciate the prime minister finally saying that in principle, he may consider that perhaps we can move from the in-principle, and have some discussions, because President Isaias is, I think, willing to once—and I met with both of them four times on this issue, each at the same period of time. I think there can be negotiations once it is agreed to, not in principle, but there is an agreement made. And that is what President Isaias said, that once the agreement is recognized, then there can be negotiations.

But for a President to not support a decision that was made to him would make him an irresponsible leader for his country. And so President Isaias is right. And I have heard him criticized for being inflexible. He is inflexible sometimes, I must say.

However, on that point, when he was awarded the decision, it would almost be irresponsible for him to say well, let us do it all over again. And that is what some people were alluding to. Even the UN sent a special rapporteur to say, "Well, let us have some more discussion." The decision was made. Eritrea lost the decision with the Yemen on the islands. They thought they were right. They went to arbitration. Arbitrators said Ethiopia-Eritrea, these islands do not belong to you, and therefore you must leave. They belong to Yemen.

And Eritrea got up and left. They thought they were right. The decision was that you were wrong, and they left. That is the same kind of experience on Badume that the Borders Commission said. And so I would hope that would be reconsidered so that that element of potential conflict between the two countries can be put to rest, and we can go on to try to see improvement of the people's quality of life in Ethiopia, which is sorely lacking at this time.

Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. And let me welcome you again, Mr. Ambassador, and just say in advance to the next panel I apologize because I have to race over to the floor right now.

But I wanted to ask the Ambassador. And as I was looking through some testimony of the next panel, especially Amnesty International, I just wanted to mention a couple of things.

First of all, you said over and over during your speech, which I agree with, that the transition to democracy is difficult. It continues, of course, to be difficult here in our own country, in the United States. But that doesn't mean that you kill demonstrators. And we in the United States continue to try to form this more perfect union.

And so let me just say I am as tough on our own country as I am on any country, as it relates to human rights violations and the clamp-down of opposition groups. And really, putting obstacles in front of any country, any groups of people as they move toward this democracy that we all are trying to seek.

Now, I want to ask you with regard to these charges of treason. And your Constitution says, and I am quoting directly from what Amnesty is saying in their testimony, that the charges of treason which constitute outrages against the Constitution organized and inciting armed rebellion and acts of genocide, these charges have

been levied against I guess about 131 of the Coalition for Unity and Democracy leaders, human rights defendants, and journalists. And of course, these charges carry possible death sentences.

Now, I, for one, again going back to the United States, have consistently been against the death penalty. And minimally, we should call on a moratorium as it relates to the death penalty.

What in the world, in terms of Ethiopia, how are you going to address this? And would you consider refraining, or could you communicate to your government that the death penalty in these instances just seems to be a bit much in terms of these trials. And of course, I personally think, just as I believe here in our own country, there should be a moratorium on death penalties. But now I see what the charges are, and that these leaders could possibly get a death sentence, don't you think that is a bit extreme, in terms of political prisoners for the most part?

Ambassador TESSEMA. Thank you. First of all, if you are asking me my personal opinion on what death penalty charge should be or should not, it is not relevant to this Committee hearing. Those are my personal views.

In as far as the Ethiopian Constitution is concerned, these people that are charged with unconditionally overthrowing the government with intent of committing a genocide, trying to foment ethnic hatred among Ethiopians, one group against the other, these are serious, serious crimes.

If they speak or not, it is not ultimately to see, as I said earlier. But as far as the terms are concerned, we cannot continue to democratize Ethiopia if we are going to allow what happened in Rwanda. They are Africans like us. Therefore, we want to establish a rule of law.

If the government's allegations are just allegations for political purposes, we will see what happens in the court system. The court system, the judicial system, has proven its independence time and again for the last 10 years. It is building its capacity.

Therefore, even if you have to say it is too much of a charge or too big a charge, it is the law. It is Ethiopian Constitution. We have to wait until the Parliament abolishes or amends the Constitution. But if they are found guilty, they have to face the justice. If they are not just because the government is bringing charges against them, that does not mean they are going to be subject to such kinds of punishment.

Ms. LEE. Well, Mr. Chairman, I think that this discussion with regard to the death penalty is very appropriate here because of the charges that have been brought with these individuals. And the fact that you used the word genocide, we have witnessed what happened in Rwanda. We know what is happening in the Sudan, we know what has happened around the world as it relates to genocide.

And so I am wondering if you think that what is taking place in Ethiopia constitutes genocide, and what, in fact, is your definition of genocide.

Ambassador TESSEMA. From some of the charges that I read, and I was talking in general terms, from some of the charges that I read on public information level, on the media, on the Internet,

some of these people are going to be charged with attempted genocide.

What it is, I am not a lawyer. How it is going to be seen by the courts, we have to wait and see. But I think it says from high crime to misdemeanor, almost all those that were charged with minor charges were released. But of those that are in jail, the special prosecutor is making his case, and he says high crimes, including conspiracy to change a government, attempted genocide, what-have-you.

I was talking generally. If these are found to be doing this, the law does allow it. But I am not talking about any specific charges on particular people.

Ms. LEE. Yes, Mr. Ambassador. But we are talking genocide is a very powerful, strong term. And we are talking about genocide. And we know the history of genocide in terms of killing an entire group of people, systematic killings.

Do you think that that is what is taking place now in Ethiopia as it relates to those individuals who have been charged with these—

Ambassador TESSEMA. No, there was no systematic, organized killing that can be called genocide. We have charged the previous government leaders now in jail for that crime.

Ms. LEE. Then why are you calling it genocide?

Ambassador TESSEMA. I am saying some of the charges that I have read state attempted genocide. What it entails, how it is interpreted, as I said, I am not a lawyer. We have to wait and see, we can get back to you. But you asked me that if somebody has committed a genocide, is the death penalty appropriate. Yes.

Ms. LEE. Well, Mr. Ambassador, with all due respect, genocide requires international attention immediately. And I believe that, from what I know and from what we are hearing, that these human rights violations that we are witnessing that are taking place in Ethiopia, and the demonstrators and the people who have been charged with treason and genocide, for the most part, really gives me reason to pause, and Mr. Chairman, gives me reason to say we need to get this bill fixed very quickly and move it forward. Because I think the world has got to begin to know, and our country has to get on the right side of history on this. And Mr. Chairman, I think we need to hurry up and finish these negotiations and move it forward.

Thank you.

Mr. SMITH OF NEW JERSEY. Thank you very much. And I do welcome your support for the bill, too, I really do.

Let me just say to my friend, if he will continue yielding, that I can't for the life of me think that Amnesty International would be here today, or issuing reports defending people who have committed genocide, whether by threat or by actual implementation, of trying to destroy a people, in whole or in part, which is the definition of the genocide convention. It is appalling to even suggest that individuals in Amnesty today, by name, as a group and with individuals culled from the larger group, would be here defending people who have committed the heinous act of genocide. It is just inconceivable.

Ambassador Watson.

Mr. PAYNE. Right. Would you yield also on that, when we were discussing when you did mention genocide, as we indicated, during the Rwanda genocide, it was even difficult, when 800,000 people were killed, for the Administration to even use the word genocide. It is a word that is rarely uttered.

We are in debate with the African Union on whether it is high crimes or genocide. We believe it is genocide, and therefore you alter the pattern of a people when you have genocide. You try to eliminate an entire body of people.

And so I think that one death is wrong. But when you almost trivialize a term that is so emotional, a term that in 1916 to 1921 in Armenia, no one looked when the Young Turks, as a matter of fact, they were called, under the Ottoman Empire, tried to eliminate an entire group of people. Hundreds of thousands were killed.

And in Nazi Germany we saw genocide. That was genocide. It was a holocaust. It was genocide that went on there. And in Cambodia, and in Rwanda. And what is happening in Darfur.

But to say that people even out of power, usually it is those who are in authority. It is very difficult to create genocide when you are not in authority. It is almost an act of the state. And so I, too, think that there should be a reexamination of that term that many of us are very emotional about, the use of it, because of what it is.

Thank you.

Mr. SMITH OF NEW JERSEY. Ambassador Watson.

Ms. WATSON. First I want to thank you, Mr. Chairman, for holding this hearing. It is very, very important, because for many months I have been concerned with the domestic situation in Ethiopia. And just this last Saturday I had a group of the Ethiopian community in, where we talked about the current situation, or particularly the situations that took place after the elections.

And I was speaking to one gentleman who was in a high level of government, who came over to visit your government because of the incarcerations of his friends, his families, and et cetera. And we saw the numerous problems that happened as a result of the parliamentary elections last May.

And I want you to know I feel very close to this country, and I thank you, Mr. Ambassador, for being here. Because on my birth certificate, born in Los Angeles at Los Angeles County Hospital in the year of blah-blah-blah, it said Ethio. And so I checked with my mother, because I found my deceased sister's birth certificate—she was older than I—said Ethio as well.

And I said if we were all sent back to Africa, would I go to Ethiopia? And she talked about Haile Sellasie.

So I want you to know, my kinship to your country is a lifetime one. And that is why I am so concerned. And I have to join my colleagues as they ask to have an understanding about what your government is doing to address the issues that Amnesty International has raised, that the Carter Center has raised. Prestigious organizations worldwide are now looking to see how democracy is developing. And I think, as you said, there is still hope for democracy in Ethiopia.

And so I have several recommendations that I am just going to read, and see if you can respond to them. And is Ethiopia looking at immediately releasing the political prisoners that are still in the

jails? And I heard your explanation about the charges, and I want to know, does the rule of law exist, and is it transparent, as it relates to the political prisoners?

And I would like to see you reform the media laws to permit free dialogue from your opposition, as well as from your support. And are you ready to reform the parliamentary rules to make sure that opposition has a voice in the new Parliament?

And will you sit down with the opposition to discuss how Ethiopia's political parties can stop the hateful propaganda, and have a peaceful dialogue about the future of your country, this great nation on the continent, and where it intends to go?

And so I am very troubled with what I see at this point. And believe me, I know a perfect model of democracy is not there yet. We don't have a perfect democracy in America, but we strive for it. That is the reason why I am in the field of politics, so I can continue to be a decision-maker on the values and principles that support representative government, where all sides in that government have a voice. And I am worried that progress is rather slow toward these goals or that goal.

And democracy evolves. It is very hard to just pick it up and implant it in other countries that have not lived it for decades. The rule of law rises, though, as one of the principles that will make this democracy grow.

So can you respond to the recommendations that I would have? And again, I want to thank our Chair for putting the bill out, 4423. We will hope to be able to negotiate over what should be included, amendments that should be included; make it a better bill that will address the formation of democracy. And we certainly appreciate working with you, and we will continue to work with you on that.

Mr. Ambassador, if you will respond, we would appreciate it.

Ambassador TESSEMA. Thank you. I will be very pleased to respond to your recommendations, and in fact some of them are already being done by my government.

In terms of your first query about those that are in jail, political prisoners. As you know, following the November crisis, the riots in Addis, the government did imprison many people. Some of them directly participated in the riots, others, in terms of preventing further bloodshed and loss of property. Almost all of them are released as of today.

As I said in my remarks, of the 10,000-plus people that were at that time under the security forces, there are only 170 people. And these are not considered political prisoners. These are, they are charged, they have cases that are in the courts. And as I said earlier, we have to wait and see what the court system will speak. This is in relation to what we were discussing earlier. Some of them are alleged to have committed heinous crimes, and others may not so heinous crimes.

So these are not political prisoners. Those that by many international observers and friends were considered to have something to do with the riots. They are political prisoners. There are many of them. They are already released. Some of them were released within 24 hours, others 3 days. But as of today, we don't have that many people in jail. These are only charged people, about 170 of them.

The media law, which was one of the issues that was raised before the election. The new Parliament, including the opposition, has now retained consultants, foreign consultants, that will look into the draft law. And it is expected to be presented to the Parliament by June. There will be interaction between the different parties in the Parliament, and we are in fact working with the U.S. Government trying to help us get experts who will have an input in reforming the media law.

The parliamentary procedures, this was also discussed by all political parties. This is one of the reasons that we have tried to bring to the attention of this Committee. All those issues in this draft bill H.R. 4423 are being implemented, being looked into. The parliamentary procedures and the code of conduct, as soon as the Parliament opened last November it was agreed that it should be revised. That experts from Canada, India, United Kingdom, and Germany were retained.

These experts have finalized their report. They have presented the draft report to the Parliament. And now it is being discussed among the different political parties. And then, some time down the road, it will be enacted as a law. This is one of the reasons it was delayed was it has to take into account the new members of the Parliament that are members of the opposition.

As far as we are concerned, this is a done deal. We have to really see how the legislation will come out. But as far as the process is concerned, this was what was also recommended by some Members of Congress, that we need to have consultants. The opposition and the ruling party need to discuss it. Both inside the Parliament and outside the Parliament we are doing that.

In terms of the government sitting with other members for what you said in the other issues, we are doing that. It is not something that has put for the future. The different political parties in the Parliament are discussing how to change the atmosphere of what we went through last November, how to work and bring reconciliation among the current political groups.

Some may disagree that to bring those that are responsible in for this kind of disappointment by the people of Ethiopia have also to be brought to justice. It is part of the reconciliation process.

As far as those that are in Parliament, the opposition is concerned, the government is working 24 hours to rectify what has happened. It has IRS responsibility, and they are shareholders. They are in the Parliament, they are legislation, they are debating.

Of course, it will take some time to get over some of the problems that had manifested during the election, after the election, especially given the crisis that we went through. But the dialogue is going on.

And I appeal to Members of the Committee, I really appeal to this Committee, not only to hear from the government's representatives and members of their constituency, but really to send experts, and even visit the country. And most of the things that are in here, i.e. Hungary suggests that they do not reflect the reality. I don't mean to say all of this, but there are so many progress that is going on in the country. Unfortunately what is bringing it to our attention is only the negative aspects of it.

We are working day in and day out to bring real democratic reconciliation to the country, through the Parliament and through civil society.

Ms. WATSON. This particular hearing, there will be a transcript. And we are going to monitor very closely the responses that you just made, and see. And maybe we should take a codal over in light of what the Ambassador has just laid out to see if they are actually following through, because I didn't hear you make reference to the killings of innocent civilians by the Ethiopian authorities in June and in November, and who is being held accountable in those cases. And we want to know who gave the orders to use live ammunition to control what was considered a peaceful protest.

So we are going to look very closely to your responses that you have made to Members here in the Committee today. And then we would hope that we could see evidence that the government has followed up.

We are not just going to go away through wishful thinking. I think it is our responsibility as an oversight committee, and since we have had good relations over the years, to follow up on the things that you say are being done, and to support the progress that is being made, and to offer constructive criticism of those areas that we think need attention.

Thank you so much, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. And Ambassador, thank you so much.

Ambassador TESSEMA. If I may clarify, Mr. Chairman. I welcome your monitoring. I welcome checking what we are doing inside the country.

As I said, on the four issues that you raised, on the media, on the Parliament, on the dialogue, we agree with that.

Mr. SMITH OF NEW JERSEY. Great.

Ambassador TESSEMA. You mentioned that I did not refer to the June and November crisis.

Ms. WATSON. I heard you say something about crisis.

Ambassador TESSEMA. I did say that in my original remarks, yes. I would also refer that yes, innocent people were also caught in this crossfire. I did say the recent investigation commission that is not only looking on how to go forward, also it will come out with if the government had used excessive force. That is what the Parliament mandated it. Who is behind this insurrection.

Therefore, it is really sad that we have to have people to die after the election. It is also true there is responsibility on both parties. The government has to take some responsibility, but those also who organized and who are responsible for this.

Therefore, what I did not say was who is going to be responsible for any of this. It is up to the commission that has been mandated by the Parliament. And that is what I said. Let us wait and see what the commission's recommendation is, and the course of action are going to be.

And I thank you. I will also provide any detailing information as far as you—

Ms. WATSON. We will look forward to receiving that. Thank you.

Mr. SMITH OF NEW JERSEY. Mr. Tessema, I would just note that there was crossfire, and I assume that that was crossfire with the police and themselves, because the protesters were not shooting.

And let me also point out that the investigative commission you mentioned—and maybe correct me if I am wrong—but to the best of my knowledge it does not include noted international investigators, as well. Even the United Kingdom, in some of the more damaging killings that went on in Northern Ireland, particularly in the case of Patrick Finucane, we have asked there that there be international investigators.

And very often people are brought in from other countries to be part of an investigative team. So that it not only enhances the credibility of the findings, but it also significantly enhances what actually happens. It is not just a matter of public relations, it is a matter of the actual work of investigating.

And so I would hope that that would be considered, if that has not yet been.

And let me just say in terms of political prisoners, and you have indicated there are no political prisoners. It has been my experience, and I have been in Congress now for 26 years. It doesn't make me an expert, but it gives me hopefully at least some insight in working on human rights issues in virtually most countries, if not every country of the world, where they have been violated.

And during the years of the Warsaw Pact, I will never forget, and including Romania, I remember when Nicolae Ceausescu, who was then the dictator in Romania and had the much-feared securitate. He made a grandiose statement that there will no longer be political prisoners. And then everybody else who was arrested for political reasons were arrested for other things.

So it became a distinction without a difference, but he could say there are no political prisoners. And I say that with respect, but also with deep concern.

Noted international organizations do believe, and this Committee and this Chairman believe, that there are political prisoners. There are people held simply because they have a difference of opinion, sought to express it, did so in a very, very effective way in many cases—a lot of them got elected—and now they find themselves in the jailhouse.

You mentioned, in answer to Ambassador Watson, that outside groups had found that there were no political prisoners. Which groups? Which human rights groups made such a finding?

Ambassador TESSEMA. The State Department does not consider anyone in Ethiopia to a political prisoner, as far as we understand it. I can refer you to the——

Mr. SMITH OF NEW JERSEY. The U.S. State Department.

Ambassador TESSEMA. The U.S. Government, yes. These are people that are charged, that have stayed in courts. None of them are in prison because of their political thinking. Therefore, they are considered prisoners——

Mr. SMITH OF NEW JERSEY. Well, I think you are twisting the U.S. State Department's findings, because it is replete with names of individuals who are being held.

Ambassador TESSEMA. I am talking about those that were detained during the November crisis. None of them are considered po-

litical prisoners. I will bring you the report, I will refer you to the——

Mr. SMITH OF NEW JERSEY. I will ask the State Department to clarify their view. But meanwhile, note that groups like Amnesty and others have found otherwise.

Thank you for being here, and——

Ambassador TESSEMA. Wait.

Mr. SMITH OF NEW JERSEY. We do need to move on to the next panel, but if you have something to add.

Ambassador TESSEMA. Thank you, Mr. Chairman. Simply to clarify one thing.

First of all, I, as you said earlier, I am here only to, as I said, only to communicate what my government positions are. We appreciate you giving us this opportunity.

I want to assure you that Ethiopia is not in any way similar to some of the countries that were mentioned during this hearing. Yes, we have shortcomings. Yes, we are a new country for democracy, an old country in all aspects.

And also true that the November violence in Addis was not police officers shooting at police officers. It was also violence by those that were armed with grenades, that burned city buses, police vehicles, killed seven police officers in 1 day. And yes, there was a crossfire when they have guns.

Therefore, when the security forces were trying to defend the population, there were others that were armed that were attacking the police officers. And that is what I said, innocent civilians were also caught in this crossfire. I just want to clarify that.

We look forward to providing you additional information. If in fact this Committee finds it necessary that such will be considered at this time, it is its prerogative. But we hope it will continue to give Ethiopia the support that it needs. At the end of the day, it is for the benefit of all Ethiopians. In this particular time, it happens to be there is a particular party in government.

I again reiterate my appreciation, especially that we were able to present the government's view, even though it was at the last minute.

Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Thank you. And Mr. Ambassador, just for the record to be very clear, on page eight of the country reports on human rights practices for 2005, under the title Political Prisoners, the statement is made by the U.S. Department of State, "The total number of political detainees during the year was estimated to be in the several thousands."

[Applause.]

Ambassador TESSEMA. Mr. Chairman, I just said after the outbreak of the November crisis, there were over 10,000 people that the State Department considered they were political prisoners because of the political crisis in the country.

I am talking about today, when I testified to the Congress. We have only 170 people of these 10,000 currently detained. And for the record, the best of my recollection, the State Department does not consider any of these 170 people political prisoners. They have been charged, they will have their say in court. This is the context that I was trying to put.

Mr. SMITH OF NEW JERSEY. We will ask Mr. Yamamoto to comment on that in particular. Let me just finally say, and then go to our next panel, that Ethiopia and Ethiopians are a great and noble people. But it is government actions that we are concerned about. And that is what, in a bipartisan way, we tried to express to you today.

And frankly, despite the fact that charges have been leveled against those 170 people you mentioned, it would be a tremendous gesture of friendship to democracy and to all those who believe in democracy to release them. And I would press you respectfully to do that.

[Applause.]

Ambassador TESSEMA. Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. I invite to the witness table our third panel. And thank you, Mr. Ambassador, for being here. And beginning with Mr. Tsege, who is currently a member of the Central Council for the Coalition for Unity and Democracy Party in Ethiopia.

After being born and reared in Ethiopia, he left in 1979, after a failed attempt to start or join rebel movements against the then military regime. After the EPRDF came to power in 1991, he returned as a member of that party, and was elected the General Secretary of the Council of the region that included the city of Addis Ababa.

Having failed to convince the Ethiopian people's revolutionary democratic front of its severe shortcomings with regards to respect for human rights, he resigned in 1993, and returned to England for the next decade, where he was able to complete his book titled *The Liberator Who Has No Notion of Liberty*. In 2005 he returned to Ethiopia to join the Coalition for Unity and Democracy, or CUD, one of the two main opposition party coalitions.

We will then hear from Mr. Obang Metho, who is the Director of International Advocacy for the Anuak Justice Council. Mr. Metho has testified in front of the United Nations High Commission for Human Rights, and has worked closely with many United States Senators and Representatives, as well as officials from the U.S. Department of State, regarding the human rights abuses in the Gambela region of Ethiopia.

We will then hear from Ms. Lynn Fredricksson, who is Advocacy Director for Africa for Amnesty International USA. Her research has focused on human rights and nationalist self-determination claims in Africa, focusing on the Great Lakes Region and the Horn. Prior to Amnesty, she worked with human rights organizations in Africa and Southeast Asia, and diaspora organizations in the United States.

Then finally we will hear from Dr. Meqdes Mesfin, who is the daughter of Ethiopian human rights activist Professor Mesfin Wolde Mariam, who is one of the prisoners of conscience being held in prison by the Government of Ethiopia. He stands accused of inciting students to demonstrate against the government.

Dr. Meqdes is a medical doctor and program developer for Cambridge Medical Association in Massachusetts.

Mr. Tsege, if you could begin.

STATEMENT OF MR. ANDARGACHEW TSEGE, MEMBER, CENTRAL COUNCIL, COALITION FOR UNITY AND DEMOCRACY PARTY

Mr. TSEGE. Thank you, Mr. Chairman. And thank you, distinguished Congressmen and Congressman.

In addition to the statement, I have supporting documents, all of which I would like to have inserted into the record.

Mr. SMITH OF NEW JERSEY. Without objection, the documents will be made a part of the record.

Mr. TSEGE. Thank you. Thank you for the invitation to testify at this important hearing. I hope my testimony will be useful in adding value to the proposed bill, H.R. 4423.

My association with the current government in Ethiopia began long before EPRDF took power. In 1991 I came back from exile in London to help the Government of Meles Zenawi. In 1992 I was asked by EPRDF to stand for election for the city council. It was not an election. Anyway, I was elected to General Secretary of the City Council at Addis Ababa.

At this time I began to sense that all was not right. I realized that all they cared of talk about democracy was a sham. The leaders were just pretending democrats. I resigned.

I left the country in 1993. In March 2005, to fulfill a promise I made to help the election effort, I returned to Ethiopia. I worked hard as an organizer, campaigner, and election observer. The campaign itself went well. Of course, people were beaten, imprisoned, and killed. But our hope for democracy made us think that these problems were small. We didn't realize it would get much worse.

Meles' party lost the election. But the day after election they declared itself the winner, and started banning civil and democratic rights. People came out into the streets. On June 8, the government murdered innocent people in cold blood. Thousands were imprisoned. I became one of the thousands.

Soldiers came to my father's house. I was beaten badly. My left eye was smashed with a rifle butt. I ended up in the Zewai concentration camp.

In prison, soldiers used common razor blades to shave the heads of detainees. Many prisoners were HIV-positive. Imagine that disregard for life.

Like many of my fellow prisoners, I contracted malaria. But the worse aspect of my experience was witnessing the nasty ethnic dimension of the whole operation. Something new and strange was happening in Ethiopia.

After the stolen elections, the voters of Ethiopia asked city leaders not to join a corrupted Parliament. In fact, I am one of those who wrote a lengthy article demanding the same thing what the people were demanding at the time. But let us not change parliamentary rules so as to make any minority party completely ineffective. The CUD presented an eight-point precondition to join Parliament, but EPRDF refused to negotiate. Because I know it was a precondition, if they were implemented, a democratic party like EPRDF wouldn't have a chance to get back to power again.

But EPRDF refused to negotiate, and instead they charged CUD leadership with treason, an offense which carries the death penalty. Mass arrests and killings, house-to-house searches and rob-

bing people of their life savings begun. Especially the last part, robbing people of their life savings is not reported a lot in the Amnesty International's report on the Human Rights Watch. But for Ethiopia, where most of the people are losing their life setting is a bereavement itself. It is serious business.

The scale of repression has exceeded Ethiopia's darkest hours during the military dictatorship. The entire leadership of the CUD, independent journalists, and civic society leaders have been imprisoned with trumped up charges of treason and genocide. I am charged in absentia with the same crimes as are others in this very room.

Hidden from the eyes of the international media and community, Ethiopia's rural farmers have suffered the brunt of the repression. Silent evenings in rural Ethiopia have been replaced by the heart wrenching cries of peasants tortured by EPRDF cadres. Their only crime was really to believe in democracy.

Earlier we talked about human rights abuse in the region of Oromo and Somalia. But what we did not mention is there is a lot of human rights abuse going on now in the rural areas in a place like the Uganda region and other parts of Ethiopia as well and in the southern national areas as well, in Gurage and Walayta.

I know these men in power, because it is not only that I served them but I started knowing them from my early university days as a freshman. In fact, I wanted to join them in the rebel movement, so my knowledge of them is more or less perfect, I could say. As the world rejoiced the end of the Cold War the EPRDF was lamenting the loss of the Soviet Union as a power. I recall the first congress held in 1992. The EPRDF presented a paper explaining that they managed to stick to the plan of delaying economic reform by deceiving the Americans. I sat there and I heard it.

Today in Ethiopia, political and economic power is held by a small clique of people within the ruling party. That is one of the reasons for no democratization in that country. This is why I believe the legislation as that proposed by Chairman Smith is essential. Legislation must have the necessary proposals to fight the continued illegal accumulation of wealth and power by a few tyrants. It deals with the need to change attitude and practice to bring about genuine democratization and economic liberalization. The question that remains is how to break EPRDF's ideological resistance to make the hopes of the bill a reality. I believe this is the most central point.

Before I conclude I would like to mention one important issue. These days the attitude of America toward Meles Zenawi has become a subject of discussion among Ethiopians. Why is America not supporting us? Why not condemn the Meles regime as the United States has condemned the tyrants of Zimbabwe, Uganda and Belarus? Most Ethiopians believe that Meles is not interested in defending the values that the terrorists want to attack. He does not believe at all in liberal values.

Ethiopians believe that their imprisoned leaders would do a better job than the Meles regime. The CUD leadership is made up of individuals who have lived, studied and worked in the West. They do not pretend to be antiterrorism, they are. And they are the victims of terrorism. These leaders rightfully won the May 2005 elec-

tion because voters believed in political and economic reform and these reforms were liberal. They have the mandate and support to defend those liberal values.

These leaders and people are the true allies of the American people. Meanwhile, the current regime prepares to receive China's embrace. In fact, to get those after China, to balance the American influence as our foreign policy was designed in 1991 when I was working with the government, I believe it is both moral and strategically imperative that America's leaders demand immediate release of all political prisoners without condition. The continued support for this tyrant will prolong the misery of Ethiopia. I thank you and look forward to answering the Committee's questions. Thank you.

[The prepared statement of Mr. Tsege follows:]

PREPARED STATEMENT OF MR. ANDARGACHEW TSEGE, MEMBER, CENTRAL COUNCIL,
COALITION FOR UNITY AND DEMOCRACY PARTY

Thank you Mr. Chairman.

Thank you distinguished Congresswomen and Congressmen.

Thank you for the invitation to testify at this important hearing.

I hope my testimony will be useful in adding value to the proposed bill: HR4423.

1—My association with the current government in Ethiopia began long before EPRDF took power. In 1991, I came back from exile in London to help the government of Meles Zenawi.

In 1992 I was asked by EPRDF to stand for election for the city council. It was not a real election. I was elected the general secretary of the city council.

At this time I began to sense that all was not right. I realized that all the EPRDF talk about democracy was a sham, the leaders were pretend democrats.

I resigned.

I left the country in 1993.

In March of 2005 to fulfill a promise I made to help the election effort I returned to Ethiopia. I worked hard as an organizer, campaigner, and election observer.

The campaign itself went well. Of course, people were beaten, imprisoned, and killed. But our hope for democracy made us think those problems were small. We did not realize it would get much worse.

Meles's party lost the election. But a day after election day, it declared itself the winner and started banning civil and democratic rights.

People came out into the street. On June 8th, the government murdered innocent people in cold blood. Thousands were imprisoned.

I became one of the thousands. Soldiers came to my father's house. I was beaten badly, my left eye smashed with a rifle butt. I ended up in the Zewai concentration camp.

In prison, soldiers used a common razor to shave the heads of detainees. Many prisoners were HIV positive. Imagine the disregard for life.

Like many of my fellow prisoners, I contracted malaria. But the worst aspect of my experience was witnessing the nasty ethnic dimension of the whole operation. Something new and strange in Ethiopia.

2—After the stolen elections, the voters of Ethiopia asked CUD leaders not to join a corrupted Parliament. Meles had changed Parliamentary rules so as to make any minority party completely ineffective. The CUD presented an eight point pre-condition to join parliament. But EPRDF refused to negotiate. Instead, they charged CUD leadership with treason, an offense which carries the death penalty.

Mass arrests and killings, house to house searches, and robbing people of their life savings began. The scale of repression has exceeded Ethiopia's darkest hours during the military dictatorship. The entire leadership of the CUD, independent journalists, and civic society leaders have been imprisoned with trumped up charges of treason and genocide. I am charged in absentia with the same crimes. As are others in this very room.

Hidden from the eyes of the international media and community, Ethiopia's rural farmers have suffered the brunt of the repression. Silent evenings in rural Ethiopia have been replaced by the heart wrenching cries of peasants tortured by EPRDF cadres.

3—I know these men in power.

As the world rejoiced the end of the cold war, the EPRDF was lamenting the loss of the Soviet Union as a power.

I recall the first congress held in 1992. The EPRDF presented a paper explaining that they had managed to stick to the plan of delaying economic reform, by "deceiving the Americans."

Today in Ethiopia, political and economic power is held by a small clique of people within the ruling party.

4—This is why I believe that legislation such as that proposed by Chairman Smith is essential.

Legislation must have the necessary proposals to fight the continued illegal accumulation of wealth and power by tyrants.

It deals with the need to change attitude and practice to bring about genuine democratization and economic liberalization.

The question that remains is how to break EPRDF ideological resistance to make the hopes of the bill a reality.

5—Before I conclude, I would like to mention one important issue.

These days, the attitude of America towards Meles Zenawi has become a subject of discussion among Ethiopians.

Why is America not supporting us?

Why not condemn the Meles regime as the United States has condemned the tyrants of Zimbabwe, Uganda, and Belarus?

Most Ethiopians believe that Meles is not interested in defending the values that the terrorists want to attack. He does not believe at all in liberal values.

Ethiopians believe that their imprisoned leaders would do a better job than the Meles regime.

The CUD leadership is made up of individuals who have lived, studied, and worked in the West. They do not pretend to be anti terrorism. They are. And they are the victims of terrorism.

These leaders rightfully won the May 2005 election because voters believed in political and economic reform. They have the mandate and the support to defend those Liberal values.

These leaders and people are the true allies of the American people. Meanwhile, the current regime prepares to receive China's embrace.

It is both a moral and strategic imperative that America's leaders demand the immediate release of all political prisoners, without preconditions.

The continued support of this tyrant will prolong the misery of Ethiopia.

I thank you and look forward to answering the committee's questions.

Mr. SMITH OF NEW JERSEY. Mr. Tsege, thank you so very, very much and I would like to now ask Dr. Meqdes if you would mind going and then we will proceed from there?

STATEMENT OF MEQDES MESFIN, M.D., DAUGHTER OF PROFESSOR MESFIN WOLDE MARIAM, ETHIOPIAN PRISONER OF CONSCIENCE

Dr. MEQDES. Thank you. I also have material that I will be submitting.

Mr. SMITH OF NEW JERSEY. Without objection, all of the other material will be made a part of the record.

Dr. MEQDES. Thank you. Chairman Smith, Congressman Payne and Members of the Committee, I thank you for your close and serious attention to the matter before you today and all you have done prior—

Mr. PAYNE. Excuse me, have you pushed the button on the microphone? Okay, maybe start again if it is on and if it is not working, maybe you can share one of the others. It did not sound like it was on.

Dr. MEQDES. Thank you. More than 30 years ago when I was only 11 my father, Mesfin Wolde Mariam, failed to show up home at the end of the day. It turned out that he had been arrested for a talk he had delivered regarding his assessment of the land tenure system that was failing the Ethiopian peasant and subjecting them

to extreme vulnerability. Our lives were never normal since. Following a couple of years of uncertainty and upheaval for my family, the military revolution took place. Eventually the military communist dictatorship of Mengistu summarily executed scores of the Emperor's officials and my father was appalled. He worked at the Institute of Development and Research at the Addis Ababa University until his retirement in 1987. During this time his publications and research output, none of which was pleasing to the government, was met with continued threats and intimidation to all of us.

At the same time, the recruitment of young people by the Ethiopian People's Revolutionary Party, an opposition to the regime, was so heavy that most of the students beyond middle school were somehow involved or associated. The regime executed what it called Red Terror against these children on the streets.

The most significant memory of my high school days is my effortless stellar academic performance declining when my only real competition was snuffed away. Nardos Fisseha was an ardent EPRP supporter and we were both 15. I will spare you the details of what happened to her as we heard about it the Monday following the Friday massacre. It was normal for the streets to be littered with bodies of children and all sorts of egregious statements on posters attached to them just about every day.

During all of this the civil war, of course, endured and even spread to many parts of the country. No young man was safe from conscription. The streets in major cities were eventually filled with disabled young men and the hallways of hospitals with gangrene and extensive and gruesome infected war injuries in cots and fold up beds.

After the fall of the Mengistu regime, recognizing the need for an independent, nongovernmental human rights monitoring organization, my father founded the Ethiopian Human Rights Council, EHRCO, in 1991. The EPRDF then seized power and announced its being open to membership to all human beings except those who are members of any organization with a military wing.

EHRCO was founded on three fundamental and inseparable objectives. To struggle for the establishment of the democratic process, to promote the rule of law and due process, to encourage the respect for and monitor violations of human rights in Ethiopia.

In the introduction of its publication, *Human Rights, Rule of Law and Democracy: Rhetoric and Practice*, EHRCO stated that it stands against systems of dictatorial rule and oppression, injustice and inequity, not against individuals or groups. EHRCO's founding was also meant to help shape the present transition and ensure a better future. Referring to the initiation of the prosecution of the previous regimes officials who undoubtedly were responsible for the loss of thousands of lives, the same text reads, and I quote:

"The most important consideration is that this exercise in legality must not seem to be vengeance in legal garb. Justice and the rule of law must serve equally the defeated, those who were once powerful and ruthless. Moreover, those presently in power and eager to judge those that have fallen must find time to reflect on their own actions. In order to make good on their moral indignation against the excesses of the Dergue, the present rules must also have the courage to see their own ex-

cesses. Sincerity demands that present conditions of human rights and the rule of law be beyond reproach. It is only then that there will be a moral ground for judging the excessive action of the Dergue regime. If the exercise is only an act of vengeance, then the atrocities will be repeated tomorrow under different circumstances . . . The only way that confidence in the rule of law can be established is when the victors who are violating the law are brought to justice. When the same law is blind to the violations of the victors but exaggerates the violations of the vanquished justice loses its essence.”

Over 15 years EHRCO has investigated, documented and reported on human rights violations. In addition, it has successfully educated the public with regard to the universality of these fundamental principles. Its accomplishments are all registered under circumstances of extreme duress. The harassment and intimidation suffered by its staff and members for carrying out this work is immense. My father, as its founder and chairman for many years, has been arrested, charged and released on bail several times. His last arrest and detention with Berhanu Nega in 2001 took place on the anniversary of the killing in broad daylight of Executive Committee member Assefa Maru. The case is still pending, yet EHRCO enjoys membership of the International Federation of Human Rights Organizations and an observer status with the African Commission of Human and People’s Rights. EHRCO’s staff has been under extreme duress since June 2005.

Along with many others my father has now been incarcerated since November 2006. I would also refer you to a cartoon in a state run paper in 1997 where my father, as EHRCO, was depicted standing in front of an audience where international media such as the BBC are holding up their microphones. One of the hands that is extended, however, is holding a gun at him. The caption reads, “EHRCO, committing suicide??” And this from a government that purports to need to hold a leash on the independent media.

After his release in 2001, my father began to work on the possibility of starting up a political organization, Rainbow-Ethiopia, Movement for Social Justice and Democracy. Groundwork for the Coalition for Unity and Democracy has also been done and non-sectarian and non-parochial organizations joined in forming it. This allowed for the coming together of all non-ethnic based Ethiopian organizations to come together. The ethnic basis for the formation of most political groups has always been a serious concern to him as a force that could jeopardize the nation’s integrity.

I am quoting here:

“The fact that the venom of tribalism meant for others twisted and turned to take an unexpected route to show its ugly face between Eritreans and Tigres, vicious and tragic as it is, shows how insidious and tortuous tribal conflict can be. Its consequence has gone so far as creating division even among Tigres. Although the concern is focused on the actions of the Oromo Liberation Front, tribalism blossoming in various parts of Ethiopia is clear to all who follow developments in the country. Youngsters nurtured in tribalism are growing into adulthood, almost constituting a generation by themselves.”

Another concern was the abridgement of freedoms.

“How can a people of any given country succeed in life unless they struggle and act to ensure that a country and sovereignty is theirs as a matter of right? For almost 2,000 years we have been doing nothing more than blaming everything on the different regimes and supplicating God, the angels and all the saints for the solutions of our problems. The stifled physical, mental and spiritual potential will only be released when people are liberated and become a sovereign power with confidence in themselves and in the law. And it is only then that they can become the true agents of their own lives.”

So as this party came into being with almost simultaneous establishment of the Coalition for Unity and Democracy in the fall of 2004, since the groundwork had already been carried out at the same time, clearly there had been the vision that along with these constituent parties, they shared the platform of national unity and were not engaged in armed combat. Any differences could be worked on through trust and a democratic process-based lively political discourse which would consistently uphold the rule of law. That there are various articulations of the basis for the creations of this coalition and its current implementation or the decision to merge is simply because the founders and the democratically elected leaders of the CUD are indisposed and therefore not available to set the record straight.

Honorable Members, for more than three decades my personal and family life has been impacted by what my father has committed in his faith and belief that the government belongs to the people and that these fundamental freedoms that we all seek are a necessary element in allowing democracy to flourish in an environment where the rule of law is supreme. I consider myself blessed in many ways, not the least of which is the fact that, unlike most of my compatriots, I have witnessed or endured only a limited amount of brutality considering what others have had to. Regardless, we are all conditioned to, at best, tolerate egregious behavior or participate in it more than we are to question and challenge it.

Mesfin and his compatriots have effectively changed that norm and the public has accepted that normative change. It is not up to humanity to stand firmly on the side of the people and do its utmost in creating the conditions that would compel the unconditional and immediate release of prisoners of conscience that are paraded through the legal system. To call for their supposedly fair and speedy trial is a travesty.

During every step of the way after the election I had a fair sense of what the opposition might do, such as challenging the election results in court or refusing to participate in the current court proceedings regarding the charges of treason and genocide. You see, in addition to my personal knowledge and understanding of my father, I also share and understand the respect for these processes and the means that he would employ to that end. Their current incarceration is not an end to the people's quest for their basic rights.

I am terribly concerned about a couple of things. The first is with regard to the rule of law and the democratic process that would ensure a peaceful and united Ethiopia. The eight point set of pre-

conditions presented by the elected officials of the CUD are fundamental to the rule of law and the democratic process in any society. I submit if the CUD were to be presented with such a demand by an opposition that it would repress or malign, the demand should be granted. I know that my father would stand for the principles and not for the party. If the enormous respect that this movement has gained is any indication, this is true for the public, too. The focus is on principles and not the players.

Compromising these principles would only jeopardize the strength of any legislation, enabling the arbitrary suspension of the democratic process and the rule of law as needed. In other words, the attempt at institutionalizing power in establishing the democratic process would have failed. It would make no difference what party is in leadership if the election board, media and judiciary are not independent and if the violence last June and November are not investigated independently and all political prisoners are not released unconditionally.

In spite of EHRCO's best and consistent efforts in the most difficult of circumstances, justice will still belong to the mighty victor of the time. Moreover, the integrity of the nation will be in serious jeopardy.

In conclusion, I respectfully urge the continued attention to these points I've mentioned in considering the most meaningful legislative steps to take, not just because Mesfin is my father but also because of the strength of his commitment, his track record as a peaceful advocate of the people during three successive regimes, his exemplary academic and social contribution and his faith in the democratic process and the rule of law. My biggest wish is that this man, who will turn 76 in a few weeks, will live to see the empowerment of his people.

I will close by sharing with you, though sheltered from most of the realities of the atrocious oppression, a photograph of a drawing that my 4-year-old daughter made. That will also be submitted in the record and it is about a man behind bars. I thank you very much.

[The prepared statement of Dr. Meqdes follows:]

PREPARED STATEMENT OF MEQDES MESFIN, M.D., DAUGHTER OF PROFESSOR MESFIN
WOLDE MARIAM, ETHIOPIAN PRISONER OF CONSCIENCE

Chairman Smith, Co-Chairman Payne and Members of the Committee, I thank you for your close and serious attention to the matter before you today, and for all you have done prior and during this crisis in Ethiopia, on behalf of the citizens of this second most populous nation on the continent.

More than thirty years ago, where I was only eleven, my father, Mesfin Wolde Mariam failed to show up at home at the end of the day. It turned out that he had been arrested for a talk he had delivered regarding his assessment of the land tenure system that was failing the Ethiopian peasant and subjecting them to extreme vulnerability. Our lives were never normal since. Following a couple of years of uncertainty and upheaval, for my family, the military revolution took place. Eventually, the military communist dictatorship of Mengistu Haile Mariam summarily executed scores of the Emperor's officials, my father was appalled. He worked at the Institute of Development and Research at the Addis Ababa University until his retirement in 1987. During this time, his publications and research output, none of which was pleasing to the government was met with the continued threat and intimidation of all of us. At the same time, the recruitment of young people by the Ethiopian People's Revolutionary Party, an opposition to the regime was so heavy that most of the students beyond middle school were somehow involved or associ-

ated. The regime executed what it called Red Terror against these children on the streets, and the opposition also retaliated similarly.

The most significant memory of my high school days is my effortless stellar academic performance declining when my only real competition was snuffed away. Nardos Fisseha was an ardent EPRP supporter and we were both 15. I will spare you the details of what happened to her as we heard about it the Monday following the Friday massacre. It was “normal” for the streets to be littered with bodies of children all sorts of egregious statements on posters attached to them just about every day.

During all of this the civil war of course, endured and even spread to many parts of the country. No young man was safe from conscription. The streets in major cities were eventually filled with disabled young men and the hallways of hospitals with young men with gangrene and extensive and gruesome infected war injuries, in cots, and foldup beds.

In the summer of 1990, at the International Conference of the Institute of Ethiopian Studies, my father presented a call for peace, describing the degree of deterioration in the respect for the sanctity of life, and the integrity of the nations. He described how dire the situation was and urged all players to denounce violence and embark a political challenge where issues could be debated and presented to the public, who of course would have the ultimate say. He extended a specific recommendation where all stakeholders would engage in a political process, and called on Mengistu Haile Mariam to try and uphold the nation’s interest rather than his. Though almost 300 prominent individuals had signed on to this, each of the major contenders namely Mengistu and the TPLF leadership accused my father of selling out to the other, failing to see the tyranny in themselves.

Recognizing the need for an independent, non governmental human rights monitoring organization, my father then founded the Ethiopian Human Rights Council (EHRCO) IN 1991 after the EPRDF seized power and announced its being open to membership to “all human beings” except those who are members of any organization with an military wing.

EHRCO was founded on three fundamental and inseparable objectives.

- To struggle for the establishment of the democratic process;
- To promote the rule of law and due process;
- To encourage the respect for and to monitor violations of human rights in Ethiopia.

In the introduction of its publication, Human Rights, Rule of Law and Democracy: Rhetoric and Practice, EHRCO states that it stands against systems of dictatorial rule and oppression, injustice and inequity . . . not against individuals or groups. EHRCO’S founding was also meant to “help shape the present (transition) and ensure a better future”. Referring to the initiation of the prosecution of the previous regimes officials who undoubtedly were responsible for the loss of thousands of lives, the same text reads, “The most important consideration is that this exercise in legality must not seem to be vengeance in legal garb. Justice and the rule of law must serve equally the defeated, those who were once powerful and ruthless. Moreover, those presently in power and eager to judge those that have fallen must find time to reflect on their own actions. In order to make good on their moral indignation against the excesses of the Derg, the present rulers must also have the courage to see their own excesses. Sincerity demands that present conditions of human rights and the rule of law be beyond reproach. It is only then that there will be a moral ground for judging the excessive action of the Derg regime. If the exercise is only an act of vengeance, then the atrocities will be repeated tomorrow, under different circumstances. . . . The only way that confidence in the rule of law can be established is when the victors who are violating the law are brought to justice. When the same law is blind to the violations of the victors but exaggerates the violations of the vanquished justice loses its essence, its very meaning.

Over fifteen years, EHRCO has investigated, documented and reported on human rights violations. IN addition, it has successfully educated the public with regard to the universality of these fundamental principles. Its accomplishments are all registered under circumstances of extreme duress. The harassment and intimidation suffered by its staff and members for carrying out this work is immense. My father as its founder and Chairman for many years has been arrested, charged and released on bail several times. His last arrest and detention with Berhanu Nega in 2001, took place on the anniversary of the killing in broad daylight of Executive Committee member Assefa Maru. The case is still pending. Yet, EHRCO enjoys membership of the International Federation of Human Rights Organizations and ob-

server status with the African Commission for Human and People's Rights. EHRCO's staff has been under extreme duress since June 2005.

My father along with many others has now been incarcerated since November 2006. I would also refer you to a cartoon in a state run paper in 1997 where my father, (as EHRCO), depicted as standing in front of an audience, where international media such as BBC, are holding up their microphones. One of the hands that is extending is however, is holding gun at him. The caption reads, "EHRCO, committing suicide?"

After his release in 2001, my father began to work on the possibility of starting up a political organization, and Rainbow-Ethiopia, Movement for Social Justice and Democracy came into being. The groundwork for the formation of the Coalition for Unity and Democracy (CUD) had also been done, and non sectarian and non parochial political organizations joined in forming it. This allowed for the coming together of all non ethnic based Ethiopian organizations to come together. The ethnic basis for the formation of most political groups was a serious concern to my father, as a force that could jeopardize the nation's integrity.

"The fact that the venom of tribalism meant for others twisted and turned to take an unexpected route to show its ugly face between Eritreans and Tigres, vicious and tragic as it is shows how insidious and tortuous tribal conflict can be. Its consequence has gone so far as creating division even among Tigres. Although the concern is focused on the actions of the Oromo Liberation Front, tribalism blossoming in various parts of Ethiopia is clear to all who follow developments in the country. Youngsters nurtured in tribalism are growing into adulthood, almost constituting a generation by themselves."

Moreover, the systematic and gradual erosion of any hope for a democratic system of governance has been of great concern to him, as stated below:

"How can a people of any given county succeed in life unless they struggle and act to ensure that the country and the sovereignty is theirs as a matter of right? For almost 2000 years we have been doing nothing more than blaming everything on the different regimes and supplicating God, the angels and all the saints for solutions to all our problems. . . ."

"Although the forms of the regimes are different, the suffering of the Ethiopian people continues to be the same. Those who are hungry and greedy replace those who are satiated. In both cases, what was, and is lacking is a healthy doubt about themselves, good will and moral courage. What was and is glaringly visible in both cases is the lack of willingness to accommodate others who happen to excel them in various fields."

"So far I have seen three regimes coming to a disgraceful end. I had foreseen the downfall of the two and publicly expressed my opinions and feelings before the fact. The present regime is on an altogether different nature. Unless it takes time to think and rectify its ways in due time, its downfall will be quite different from those of the past, because it may also ruin the country."

" . . . It seems to me, our problems have always been two. First, we have been guided by the law of the jungle throughout the course of our long history. We have failed to develop any other alternative to the use of force for administrations. We differentiated ourselves between those who are superiors and inferiors, between those who have rights, and those who have obligations as masters and servants in an uncomfortable relationship. We failed to devise a system based on equality. We are now in 1996 (2003 Gregorian) without learning to institutionalize power. Institutionalizing power is the mark of a civilized community. We have been successively suffering under regimes that rule with jungle law. One of the secrets of growth and development lies in the capacity to institutionalize power; it is to found power on equality through the rule of law."

" . . . The stifled physical, mental, and spiritual potential will be released only when the people are liberated and become a sovereign power with confidence in themselves and in the law, it is only then that they can become true agents of their own lives."

So, as Rainbow Ethiopia eventually came into being, with the almost simultaneous establishment of the Coalition for Unity and Democracy, (CUD) in the fall of 2004, since the groundwork had been carried out at the same time. Clearly, there has been clear vision that, as long as these constituent parties shared the platform of national unity, and were not engaged in armed combat, any differences could be worked on through trust and democratic process-based lively political discourse, which would consistently uphold the rule of law. That there are various articulations of the basis for the creations of this coalition, its current implementation, and decision to merge, is simply because the founders and the democratically elected

leaders of the CUD are indisposed and therefore not available to set the record straight.

Honorable Members, for more than three decades, my personal and family life has been impacted by what my father has committed in his faith and belief that government belongs to the people and that these fundamental freedoms that we all seek are a necessary element in allowing democracy to flourish in an environment where the rule of law is supreme. I consider myself blessed in many ways, not the least of which is the fact that unlike most of my compatriots, I have witnessed or endured a limited amount of brutality considering what others have had to endure. Regardless, we are all conditioned to, at best, tolerate egregious behavior or participate in it, more than we are to question or challenge it. Mesfin and his compatriots have effectively changed that norm and the public has embraced that normative change. It is now up to humanity to stand firmly on the side of the people and do its utmost in creating the conditions that would compel the unconditional and immediate release of prisoners of conscience that are paraded through the legal system. To call for their "fair and speedy trial" is a travesty.

During step of the way after the election in May, I had a fair sense of what the opposition might do, such as challenging the election results in court, or refusing to participate in the current court proceedings regarding the charges of "treason and genocide". You see, in addition to my personal knowledge and understanding of my father, I also share and understand the respect for these processes, and the means that he would employ to that end. Their current incarceration is not an end to the people's quest for their basic rights. I am terribly concerned about a couple of things. The first is with regard to the rule of law and the democratic process that would ensure a peaceful and United Ethiopia. The eight point set of preconditions presented by the elected officials of the CUD are fundamental to the rule of law and the democratic process in any society. I submit, if the CUD were to be presented with such a demand by an opposition that it would repress or malign, the demand should be granted. I know that my father would stand for the principles and not for the party. If the enormous respect that this movement has gained is any indication, this is true for the public too. The focus is on principles and the players. Compromising these principles would only jeopardize the strength of any legislation, enabling the arbitrary suspension of the democratic process and the rule of law as needed. In other words, the attempt at institutionalizing power and establishing the democratic process would have failed. It would make no difference what party is in leadership if the Election Board, the media and the Judiciary are not independent; if the violence last June and November are not investigated independently and all political prisoners are released unconditionally.

In spite of EHRCO's best and consistent efforts in the most difficult of circumstance, justice will still belong to the mighty victor of the time. Moreover, the integrity of the nation will be in serious jeopardy.

In conclusion, I respectfully urge the continued attention to these points I have mentioned in considering the most meaningful legislative steps to take. Not just because Mesfin is my father, but also because of the strength of his commitment his track record as a peaceful advocate of the people during three successive regimes, his exemplary academic and social contribution and his faith in the democratic process and the rule of law, my biggest wish is that this man who will turn 76 in a few weeks, will live to see the empowerment of his people.

I will share with you though sheltered from most of the realities of the atrocious repression; we also have children that are deeply impacted by all of their grandfather's continued incarceration. I leave you with a copy of an unsolicited drawing by my four year old daughter last January.

Thank you very much.

Mr. SMITH OF NEW JERSEY. Dr. Meqdes, thank you very much. Your father must be very, very proud. Thank you. Let me now introduce our next witness. Mr. Obang Metho, if you would proceed, please.

STATEMENT OF MR. OBANG METHO, DIRECTOR OF INTERNATIONAL ADVOCACY, ANUAK JUSTICE COUNCIL

Mr. METHO. Thank you. I hope everyone can hear me okay. Mr. Chairman Smith, I really thank you personally for your work and I thank Mr. Donald Payne. The first time I met you was on May

16, 2004. I would ask for my whole statement to be submitted into the record entirely.

Mr. SMITH OF NEW JERSEY. Without objection, your full statement will be made a part of the record.

Mr. METHO. So thank you. I think we are given 5 minutes and I will try to really make it the best I can. I think what I really will be talking about would not take me 5 minutes, more than 50 minutes, you know, 50 days. So it is really good that Tessema was here and I am sitting on the chair where he was sitting. That is good and he did not mention about the Gambella, he did not mention about the Anuak. And that is one of the things that I am going to talk about and it is too bad that he is not here. But even if he were here, I do not know if he would do anything.

So my statement, what I am going to do is that I will talk today about the Anuak. I am not going to read, because I am living with this since December 13, 2003. I am an Anuak. I grew up in Gambella. I will talk about it and again, please bear with me if I become emotional. I will try to not make it emotional.

As I am saying, most of you may look at my face today and most of you would say that I am not Ethiopian. To some of the Ethiopian, I could pass for German. I have been excluded, even today. The only person who mentioned the word Anuak was Mr. Smith. Together we can make a difference. So the point I am going to make is I am talking not as someone who is an expert, not a scholar. I am talking as a human being. As a human being I am entitled to live here until the day I die. I belong to this ethnic group, Anuak. The Anuaks belong in Ethiopia. They are Ethiopian citizens. Our ancestors' land was divided by the British and we became part of Ethiopia. There is nothing we can do about it now. Ethiopians have to accept that reality.

For many years, if I can make it very clear, we are a very tiny minority. There are no more than 100,000 Anuaks. That is including me before you. So going back to this. The voice I am going to say today, for most of you who are sitting behind me, Mr. Smith, please take this home. It is the voice of my people. Four hundred and twenty-four men were killed in 3 days and since then, again, over 1,600 people were killed. Because my name is Obang, I have the picture, the picture cannot lie and that's the message that I wanted to get across.

This is now almost 3 years and justice has never been done. Mr. Donald Payne, I raised this issue to you before and I am not going to blame you. When you talk, you mentioned about the Somalia region and other regions. You did not mention Gambella. You did not mention the Anuak. You have the responsibility. Too bad that our African-American brothers and sisters are not here. We are here and we are dealing with people who 20 years ago had been enlisted as people who are endangered, like birds. Twenty years ago, if 424 can be killed in 3 days, please be the judge. I am not a calculator of that.

I wanted you to take this with you. Right now the Anuak has lost hope, the international community has failed. Ambassador Tessema did not mention it and that is very good. So the point I am going to make is this is the voice of those people who died. These are the voices of not only the Anuak. I am not, you know,

representing any political group. These are the voices of those who have been killed on December 13 who cannot speak for themselves. I am speaking as the voice of those CUD leaders who have been locked up. I met with Mr. Hailu Huel. By then it gave me hope that maybe things will change and justice will come and when he was locked up, my hope was taken away.

I am here as voice of the Tigreans who disagree with their government because they are Tigreans. I am here as the voice of those who are oppressed. I am the voice of the Ethiopian who are wanting their birth right and it has been denied. Please take that with you.

So the point I am going to make, is Ethiopia really a true democracy? I cannot find that. I went to school. I took politics. There were Democrats who were the ones that I am interested in, because at some point, I am thinking that I will go back to contribute. And again, when the Ambassador was here, I could not really think of anything. It just reminded me like of people who stole something and go to a mirror and look at yourself. You did a good job, Mr. Smith. You were very blunt and he will live with it today.

So should we really work with Ethiopia? The U.S. Government, I am not here, I do not have any political interest. I really want justice. Justice is what I am hoping for. But Ethiopia, the prime minister, what they have done on December 13, 2003, it did not make a big deal, people do not talk about it. But we are human beings. It was not until the election that this got out. But I wanted you to know that and it has been going on.

In July 2002, 200 human beings were killed in Awassa. Again, Meles was the mastermind, he denied it, he delayed it. And just to delay is just to deny and again, that went unnoticed. Within Gambella, it divided the people. Anuak, people who are just like us, like me exactly, and he succeeded. Nobody has done anything. And then on December 13, 2003, the killing took place. Nothing has been done about it until today.

What happened? Most of us who are a family, if you have a job, who is playing with the lighter, if you do not tell them to stop then? One day they will put the building on fire and the building will collapse. And Meles has been playing now with the lighter and the flame is getting hot. Soon it will burn Ethiopia. If you talk about unstable, Ethiopia has already been unstable under this man. This man has never done anything.

Again, please do not mind me, I am not talking for political reasons. I am talking and what I am saying today, Meles may try to find and put another black face on the Ethiopian TV tomorrow to deny it. That does not matter to me now. What matters to me is the truth, and all of you are in this position. Truth, no matter how much and what the cost may be. That is what we tell our children, to stand with the truth, and we should do it.

And again, I am not begging you. I am challenging you. You have been put in this position to do what is right, but here it is. On December 13, 2003, a car was ambushed 20 kilometers outside Gambella. Most of the people died. Again, nine people were killed including the driver, who was an Anuak. People in Ethiopia, we have lowland and highlands. Lowland is a guy like me who, even

until today, some of my Ethiopian brothers cannot accept me. There was one Ethiopian driver in Washington who asked me where I came from and I asked him where do you think? He named almost all of Africa except Ethiopia. Again, we Ethiopians have to do this ourselves.

When these people were killed, some of them were people close to Meles. They went to collect the bodies. The bodies were mutilated, brought to Gambella. When it was brought inside it and the people who were highland, again, me, like my brothers. And what happened? From that day on a commander of Ethiopian Defense Force with the chief of police went and took the bodies to the regional government office. They put them there. They told the governor, who was an Anuak, I want you to bring these people back to life before we take them to highland. You know that, that is impossible. They took the bodies in front of almost 200 people. From that day on, the commander ordered the killing. They went on killing, they had a dead list. They were looking for Anuak men from home to home. They took those Anuak in front of their families, their children and wife, they were shot dead. Some of them were axed with machetes by some of the civilian highlanders.

But again, some of the highlander people are the ones, without them, maybe there would have been more than 424 killed that day. These people were killed in such a brutal way. Imagine I was there 5 months before that. The first list came to me, 424. I knew 317. Some of them I shook hands with them. They are my family members. They are my uncle, my brother, my classmates. The people I have been working with, 17 of them. Six were my classmates who were very close to me. That affected me, affected me in such a way that this is something I never told my family but I will tell you today because it will matter. I had two choices. To kill myself so I could go with my people or to speak up, because those died and I am the one left. I have done it and I have been doing it since.

I wanted you to know that the world we live in is not really a perfect one and indeed, every one of us, Mr. Smith, a saying in Africa, that a tree called kasava. That tree does not have a seed. You have to cut it by piece and you put it in the ground. By the work that you have done, if you could be cut, right now I would cut you to pieces and plant you to multiply.

Again, do your work. This world needs people like you and again, everyone who is hearing me today, take responsibility. Life is too short and once somebody's life is taken, it is you now who can speak for that person. What happens after that, nothing. Justice has never been done for them. I went and talked to the UN. They have never done anything. I went and talked to Mr. Payne. I never heard anything since then.

The government of Ethiopia has never arrested anybody and instead they arrested most of the Anuak men. Over 10,000 Anuak have gone to the Sudan. The word Sudan should say to you it is not a place to run. Until today, there are still there 5,000. I just came from there a couple of months ago and the conditions they live in are horrible. These people have been forgotten. Again, keep in mind they are groups who have been put on the endangered list. No one has done anything. Where is the international community?

To be honest with you, the international community, I realize that it is me for my people.

What could the Ethiopian Government have done? They appointed an inquiry, again by Commander Kifle. Who is Commander Kifle? The guy who is the right hand of Meles. Again they say that only 13 people were killed by the troops, six, and what happened? After that, those guys were the guys. I have them now with me. They were deserting Ethiopian soldiers. Most of them belong to the Oromo tribe. Please be the judge.

After massive genocide, the Anuak today in Gambella, and this is the thing that I am going to stress, there is a report that is going to be released soon. There is an entire generation of Anuak children that are going uneducated. Before December 13, 2003, there were 136 schools. Right now, 27 are functioning. There were 119 water wells. Five are functioning. There were 37 medical clinics. Two. In the Anuak District, people are allowed to go only twice a week. Over 2,000 Anuak men are in prison until today.

These men were talking about the economic group, he was talking about improvement in Ethiopia. Really, we realized, what can we do? We thought that the international community abandoned us that we set up an International Justice Council to protect the right of the Anuak wherever we are, because now we know that our very survival is like the birds that are being listed. Even the panda bear in Washington had a baby. So to be honest with you, the report was whitewashed and we demand the international community to do something about it. U.S. Government, if they are supporting Meles just because they are relying on terror, change your mind. This guy is terrorizing his own people.

If they think that he will change, a chameleon will change his color, but he will always be a chameleon. Most of the people who are teenagers, when they are having a meeting, there are lots of women and men. They say that you know what, once a cheater is a cheater. And for beauty, no one will ever say that I am a beauty, because the beauty is like a flower. Everyone knows how beautiful the flower is and you do not have someone to describe it. Ethiopians, who are they in Ethiopia are the ones who are living it and they know what is going on in Ethiopia. What the man who was sitting here was saying is not Ethiopia now.

If I have a pen in my hat and I tell you I have a pen, would you listen to her or would you listen to me? Please, I wanted you to bear that in mind. You will never know how good the person is until you live with them in the same house. The Ethiopians should know and you should believe Ethiopians.

To summarize my points, Anuak were killed on December 13, 424 men, educated men. And the reason why I am here and talking, these men were killed because they were Anuak. I am Anuak. These men that were killed were educated. I am educated. These men were killed because they asked for political rights. I do ask. Again, if I was not in Gambella, my name would be on this list. I have 27 lists of those people who were killed and I have the pictures to back them up with. I am an Anuak, I survived. But again, Meles is running after the ones who are educated, because there is a saying in Africa, when you cut off the head of the snake, part of the snake is not dead.

Most of you who are here right now, if you were in Ethiopia, you would be in jail. If you were in Gambella and you were Anuak, you would be dead. And this is the world that we live in. This is what is going on. So I do not want to make it very long, but again, justice has been denied for the Anuak. It has never been too late.

Mr. Payne, I will tell you, I hope from now on we will work together. I met you on May 14, 2004. I never heard from you. I hope that you take this with you. You take those Anuak as your brothers. You take them as your neighbors. You take them, above all, because they are human beings. They cannot speak for themselves. We can speak for them.

Again, thank you to come before you. Before I leave, my last remark, I am not an expert. I am saying this because my people were literally butchered in front of their families. Please read my statement entirely because you will know what is going on. We have been excluded and again, the example was here today. The whole time we were here, Mr. Smith was the only person who mentioned the word Anuak. Please, we are in the same world. We are in the same world and we should be there for each other. What I am asking for the Anuak, I would do it for the Amharas, I would do it for the Tigreans, I would do it for anyone who is a human being because my life is too short. I am here to protect others and other people will protect me. That is the point I want to leave with you.

Again, the exclusion I am talking about within this bill we have nothing mentioned about the Anuak and I am not going to ask you what you would do about that. But the exclusion I am talking about, nothing has been mentioned there. There is a demand. Again, 2,000 Anuak are in prison today. Five thousand refugees are still in the Sudan and these people, again, we need not include them. For my Ethiopian brother behind me, please, again, accept me and I will open my hand and together we can make the place we are wanting to be a peaceful place. Thank you.

[The statement by Mr. Metho follows:]

PREPARED STATEMENT OF MR. OBANG METHO, DIRECTOR OF INTERNATIONAL
ADVOCACY, ANUAK JUSTICE COUNCIL

"THE ANUAK MASSACRE OF 2003: THE ETHIOPIAN GOVERNMENT ATTACKS AN ETHNIC
GROUP LISTED BY CULTURAL SURVIVAL IN 1984 AS ENDANGERED!"

Mr. Chairman Smith, Chairman Leach, members of the subcommittees,

Thank you for inviting me to testify on Ethiopia today. I would also like to thank you for organizing this hearing and your work over the years to bring a just, lasting peace in Ethiopia. I request that my statement be submitted into the record in its entirety.

My remarks will focus on the massacred of 424 educated Anuak men and gross human rights abuses and repressive measures Prime Minister Meles Zenawi, and his ruling EPDRF have initiated in recent years, the considerable progress made by Ethiopia's opposition despite these abuses, and on the positive potential impact of increased United States support for a democratic future for Ethiopia. Ethiopia's May 2005 elections highlight how far that country is from being a free and open multi-party democracy.

My name is Obang Metho. I am an Anuak. I grew up in Gambella. I am not here as part of a political party. I am not here as an expert. I am here as a witness and human rights defender to speak up for the 424 educated Anuak who were massacred on December 13, 2003 and who can no longer speak up for themselves. I am here for the children who lost their fathers on that day. I am here as the voice of the woman who lost her husband or son and for the grandparent who lost their grandchild. I am here to speak for the families whose husbands, sons and fathers

have been in prison for years with little hope of release. I am here for the four thousand Anuak refugees in Pochalla, Southern Sudan who still cannot return home.

I am not here to speak about something I do not know, for I am one of these people. I grew up with it and it made me. They are my family members, my classmates, my friends and my people.

The first time I encountered injustice by the government was twenty-five years ago when I was in fourth grade and was at school. I witnessed an Ethiopian police officer beat up an Anuak student just because he looked at him in the wrong way. I saw his blood and wondered why a government who was supposed to protect its people could do this? This image stuck with me. I grew up with it and made me want to defend the right. I am doing this now because of my people. I am doing this now because if I had been there during the massacre of the Anuak on December 13, 2003, I would have been one of the 424 killed. My name would have been on that list as I meet all the requirements. I am Anuak. I am educated and I would have been one of those to speak out.

But, I am not only here today for the Anuak. I am here for the Tigrayans who disagree with their own government. I am here for the Oromo, the Somali, the Afar and for any in other ethnic groups throughout Ethiopia who have been oppressed. I am here for the Ethiopian woman whose son or daughter was shot dead on the streets of Addis Ababa after the national elections. I am here for the CUD leaders and young student protesters who have been taken away from their families and put in prisons and detainment centers. I am here for those courageous prisoners of conscience, languishing in prisons throughout Ethiopia.

The voice you are hearing is not just my voice, but the voice of those crying for help. I hear their voices and am bringing them before you this day. The Prime Minister will deny what I am about to say. Who will you believe—these voices calling from the dark or his? I am speaking to each person on this committee. I ask you—please listen to these voices as if they were coming from your own sons or daughters, as if they were coming from your neighbors and friends who are calling for help from freedom and peace loving people like yourself. Take these words with you and nurture them, not only for the Anuak and other Ethiopians, but also for any human oppressed in this world. These people want you to know what they have gone through and for you to do something about it!

What's Troubling Ethiopia?

Ethiopia—a democracy? Prime Minister Meles Zenawi—a prime example of a new breed of African leaders? The current ruling party of the Ethiopian Peoples Democratic Republic Front (EPDRF)—too strategic to America's War on Terror to chance anything different???

How about the charges of genocide against CUD party members? Or, what should one think about the tens of thousands of Ethiopians imprisoned for being anti-government? What should our response be to the May 15, 2005 national elections??? Was the current ruling party really elected? How about the violent aftermath of the elections, when student protesters and others were shot and killed by EPRDF troops—was this defensible?

What about the Ethiopian people? Are they so hopelessly divided in ethnic conflict that they "need to be controlled" or chaos and killing, reminiscent of the Rwandan genocide, will erupt and spin out of control? Why were Ethiopians able to live in greater harmony under Mengistu than under Meles? What explains such widespread poverty and hardship under Meles despite the billions of international dollars being poured into the country? What explains the human rights abuses being reported amongst almost every ethnic group?

Perhaps, the "golden glow" of progress and democratic governance in Ethiopia, along with the denial and repression of any information to the contrary, is simply a marketing strategy, adeptly and charmingly propelled in the public arena by the current chief broker, Prime Minister Meles Zenawi. However, in order to know the truth, you might need to go elsewhere. Oftentimes, the larger truths can more easily be seen and understood in the microcosms of real life situations and people.

The Case of the Anuak

Repression, arrests and violence are well known to the Anuak of the Gambella region of southwestern Ethiopia. However, when this violence occurred openly in the national capital, it awakened the world to the real nature of this regime. It was a shocking indication of what had been going on in the rural areas of Ethiopia, beyond the penetrating eyes of the international observers. The killing of peaceful student protesters in Addis Ababa following the national election as well as the imprisonment of CUD opposition leaders on trumped up charges, have been methods of suppression and control used for years against the Anuak.

The EPDRF government of Prime Minister Meles and its regionally controlled implementers at the district level, have brutally repressed the Anuak using violence, imprisonment, loss of property, loss of government jobs and other such means of control as a way to silence Anuak who protested against the federal control over regional affairs or against blatant violations by the government of the basic human rights of the Anuak. Additionally, any Anuak who called for regional involvement in the decisions involving the extraction of the vast oil reserves in the area, were seen as “anti-government elements” needing to be punished.

This ongoing undercurrent of oppression finally culminated in the December 2003 massacre of 424 educated Anuak leaders. These ethnic atrocities were witnessed by countless others and the facts provide incontrovertible evidence of an ethnically based massacre by agents of the Zenawi regime. Acts of this scale, were previously unknown in Ethiopian culture.

This genocide against the Anuak was incited and carried out by none other than the EPDRF Defense Force, Gambella Regional Police and the decision makers behind the scenes. Human Rights investigators have uncovered information indicating that members of the EPDRF cabinet were aware of and involved in this massacre. In fact, witnesses have revealed information about secret high level meetings in Addis Ababa, beginning in September of 2003, where the shameful plan was laid out for the removal of those Anuak who were standing in the way of the government's plan to exploit the area of its vast natural resources, in particular, its oil.

The oil rights to the area had already been given to Petronas of Malaysia who contracted with the subsidiary, the Chinese firm, Zhongyuan Petroleum Exploration Bureau (ZPAEB) who was ready to set up the sites for drilling. At the same time of the massacre, Ethiopian government troops moved into Gambella to protect the oil company workers from any local resistance. It has been learned that part of the agreement with the oil company was that the government would have to pay \$25,000,000 (US) should any oil worker be killed; thus requiring high levels of security so as to ensure that the Chinese and Malaysian workers would stay. When these workers travel outside their compound, no wonder why 20 to 30 EPDRF troops accompany one Chinese or Malaysian.

Who are the Anuak?

The Anuak are part of a small indigenous ethnic group numbering about 100,000 worldwide, including me who is before you today. We have lived in the Upper Nile region of southwestern Ethiopia and southeastern Sudan for hundreds of years. Our name means, “people who share.”

The Anuak were not originally an Ethiopian tribe, but in 1902, the British “accidentally” cut Anuak country into two or three parts, now dividing them between Sudan and Ethiopia. The Anuak from either side of the border, have had to flee to the other side in order to find safety as outside threats from the west, the civil war in Sudan, and now from the east, the current government of Ethiopia, have threatened their survival.

In a January 2006 report by a branch of the UN, yet unreleased, it has been indicated that the Anuak people and their culture are threatened with the possibility of completely disappearing and may likely disappear from the Gambella region in the next 10–15 years unless immediate and substantive intervention is made on their behalf by the international community. Even twenty years ago, in 1984, a US based organization called Cultural Survival, identified the Anuak as being an endangered people group. The continuing atrocities and manmade humanitarian crisis over the last two years, severely worsens their prospects for survival.

The Anuak and others, who live in the area, are considered different from other Ethiopians. They are black Africans as opposed to most other Ethiopians, called “highlanders”, who were of lighter color. The Anuak are ethnically, culturally, linguistically, historically and religiously different from most other Ethiopians. Their indigenous land is totally different from anywhere else in the country in both climate and geography. The Gambella region is hot and tropical with rich, fertile, well-watered soil coming from the rivers originating in the mountains of the highlands where there is a much cooler, dryer climate. The difference in geography has separated Ethiopians into distinctive categories of “lowlanders”, such as the Anuak and other indigenous groups in the area, as opposed to the “highlanders” who comprise the vast majority of the population of Ethiopia, such as Amharas, Oromos, Tigrayans and others.

It is believed that the central government does not consider the Anuaks to be “true Ethiopians”, but does value the vast resources that exist in the area. As a result, the Anuak and other indigenous people from this area have significantly less access to basic services such as clean water, health care and education. However,

until more recently, the Anuak have lived in harmony with highlanders who have resettled in this area, even intermarrying with them.

Historically, this area has always been marginalized since the British leased this area to Ethiopia on October 15, 1956. During the time of Mengistu, the Anuak were mainly valued as fighters, resulting in hundreds of young men, as young as fourteen or fifteen, being forcibly taken from their school classrooms in order to fight in a war against Eritrea. Most never returned. Others returned without legs and with other severe injuries, but were never compensated. Meles repeated this during the war with Eritrea in 1998. The Anuak became convinced that their only value to this government was to be exploited as a commodity of war. Now the ruling government has taken it further. They are killing Anuak in order to gain access to their land, oil and untapped resources.

The Anuak Massacre of December 13, 2003

Over two years ago, on the morning of December 13, 2003, unknown assailants ambushed a vehicle 20 K away from Gambella town, killing nine persons, including an Anuak driver. Without investigation, the Anuak were immediately blamed for the killings. Testimony from a highlander police officer, present at the site, revealed that offers to pursue possible assailants into the bush were rejected. Instead, Tadessa Selassie, Chief of the Gambella Police and Major Tsegaye Beyene, the EPDRF Defense Force Commander, ordered them to mutilate the bodies.

Okello Ochalla, the former governor of Gambella at the time, reported that Major Tsegaye Beyene and Tadessa Haile Selassie then brought the dead bodies of the ambushed refugee workers to the regional government office, looking for Governor Okello. When Okello was not there, they waited about twenty-five minutes until in apparent frustration; Selassie shot three bullets into the wall of the regional government cafeteria. Witnesses reported that Selassie then told them that Governor Okello was going to have to bring these highlander corpses back to life. He then went to the police station where he left the bodies in the car while he met with other highlander police who would later be involved in the massacre.

The mutilated bodies, with the exception of the Anuak driver, were then displayed in front of the regional hospital. Within a very short time, many converged on the location; federal troops in their vehicles, including the federal commander of the forces, as well as highlanders, prepared with machetes and other weapons in their hands. Nearly 250 people came. One highlander businessman brought two bags full of machetes to the scene. As highlander women cried for the dead, witnesses report that Chief Selassie and Major Beyene were openly and loudly laughing. Finally, the commander shot into the air and said, "That's it! Go!" At this point, the people dispersed to various areas of Gambella town and the massacre began.

Tadessa Selassie, the defense forces, other police officers and some highlander civilians choosing to join, went to the Omininga area of Gambella where most Anuak lived. These Ethiopian Defense troops, police and highlander militia groups then went home to home in Gambella town, pulling out Anuak men from their homes.

One of the first on the list was a devout middle-aged pastor, Okwier Oletho, whose church was growing in the community and also the father of my sister-in-law who I have known since I was a child. His wife was returning from visiting a sick relative when soldiers and highlander militia came to his home during a prayer meeting. After they set his hut on fire, he jumped out a window. As he ran he was hacked and mutilated with the highlander's machetes before being shot in the back by Ethiopian soldiers in uniform. His wife witnessed his death along with the death of other male relatives and attendees of the prayer meeting. Choir members at the church were also killed that day. Human Rights Watch gives further details of his death in their report. Please see <http://hrw.org/reports/2005/ethiopia0305/>.

When she was told this past week about the opportunity to present the case of the Anuak genocide at this congressional hearing, she could not speak. She finally explained :

I'm crying. This is the beginning of a long journey to justice. My people and I who have lost our husbands and loved ones on December 13 and after, have been weeping in the dark with no one seeming to hear. Someone has finally heard our voices coming from the dark and will now know how my husband was axed with machetes and clubbed into pieces in front of me. Now that they have heard it, they will make sure it will not happen to another woman's husband. My husband was a pastor who knew and loved God. This is what he would want—to teach people to not do this kind of cruel thing to another human being—to love each other—to be one of the people to stop this kind of thing!

As the killing went on in an orgy of violence, Ethiopian soldiers stood by, cheering and laughing with members of the highlander militias, as these civilian militias

brutally hacked the Anuak victims with machetes in front of their mothers, wives and children. As the victims attempted to run, the troops then shot and killed them in their backs.

Mary, a young mother with a baby, witnessed her husband's death. She reports:

On December 13, 2003, my husband, who worked for the regional government was killed. He was one of first men to be killed. He was a well-educated man and openly opposed the Ethiopian government's policy of taking over control of the local government from the local people. He had brought attention to the fact that the government was not following the Ethiopian Constitution in this matter.

I remember first hearing the sounds of gunfire starting about 12:45 in the afternoon, when the shooting started in front of the regional hospital in Gambella town. My husband and I heard from others that they were killing Anuak men so my husband and I quickly went inside our house. Almost immediately, I heard the sounds of approaching Ethiopian defense soldiers walking towards our house yelling, 'Kill them!' 'Whenever you find an Anuak man, kill him.' 'Today is the day for killing Anuak.' All of us heard it. My husband wanted to get out of the house and face them, but I pushed him back and blocked the door so he could not leave.

The troops came inside our fence...and set the house on fire. They began to repeatedly shoot at the house. My six-month-old baby started choking on the smoke because it was so thick we could not breathe. I held my baby as I crawled down low through the door to the outside of the house.

The troops started shooting inside the smoke filled open door and my husband was shot in the stomach, chest and right arm, but he did not die. He kept telling me, 'Mary, go!' 'Go with the baby!' 'Let them kill me!' After my husband was injured, I jumped on top of him to protect him while I was still holding the baby with my other arm. I begged them to please not kill my husband. A highlander then grabbed me and pulled me off of him and made my husband stand up. I heard my husband say, 'Just kill me!' I was screaming and the baby was crying. They started beating me with the barrel of their guns on my back and on my head. One of defense forces said, 'You say this is your land? After today, there will not be any more Anuak or Anuak land!' He pointed his finger at me and demanded, 'Shut up! Just wait and see! Today we will do to you what was done to the Jews during the holocaust!'

Eight soldiers were around my husband—repeatedly hitting him. He kept saying, 'Please shoot me.' The soldiers stopped for a minute and then highlander militia started hitting him on the head with machetes and clubs. As he tried to defend himself with his hands, three militiamen then slashed him with machetes on his head, neck and face. They repeatedly hit him with a large club on his forehead and face until his face was smashed. He finally fell down, face forward towards me. Another highlander then hit him on his temple. He opened his eyes a bit and closed them again before his body started jumping. I stopped crying because I could not believe what was happening. I was numb. Then they all left me, alone with my husband and baby.

I went to my husband. As I was holding him and my baby, an older Anuak woman came to me along with two boys, one nine and the other twelve. My husband was opening and closing his mouth. I could hardly recognize him as his face was so bloody and his nose was missing. My husband's body started jumping. When the soldiers saw the Anuak boys and woman come, they came running back shouting, 'Kill them! Kill them!' The old woman grabbed my baby and my hand and started running with us. My only comfort is my husband died before I ran away. I never saw him again. I don't know where his body is. The Ethiopian army did something I will never forget. How could a human being do this to another?

Women and young girls were raped, at times in front of the men before they were killed, while the perpetrators taunted them with the slogan, 'Today is the day for killing Anuak,' and telling the victims of rape, 'Now you won't have Anuak babies.' They then set their homes and crops on fire, leaving countless widows, children and elders with almost no means of support.

One Anuak woman told the AJC that when she recently saw Saddam Hussein in Court on CNN, that it strangely gave her hope. Two years ago, she witnessed her husband killed in front of her on December 13, 2003 by Ethiopian defense troops and highlander militia. Several days later, she was raped by seven Ethiopian defense troops, carrying their uniforms on their arms. They took turns with her, raping her for four hours.

She states, "They ripped me apart. I will never be the same. When I look at myself, I think of myself as 'dirty.' I feel helpless. I am not going to forget these people. What the Ethiopian troops have done to me is what some people call 'crimes against humanity'. They say these people could be brought to court, not today, but in some years. Now when I see Saddam on TV, someone who was at the top of the government, being held responsible for what his government did, it gives me hope.

Meles was the one who gave these men the authority to do this. He is not less accountable than those men who did it. Those men may disappear, but their leader will never disappear. He will be tracked down and found wherever he goes, like the African snake that leaves its trail of dirt for you to follow. There may be many holes nearby, but as long as there is dirt on the ground, the trail of the vicious snake will identify which hole he is in. We, the Anuak, who have survived this unthinkable evil attack, will be like the dust that shows the trail of the snake through Anuakland. There will always be one of us who will be able to tell the tale of those who did not make it, to those who will carry on.

The highlander militias, police and Ethiopian Defense troops roamed the streets, looking for any men, young or old, which they then viciously attacked. Between two and three thousand Anuak took refuge in the Mekane Yesu Church compound and the Catholic Church compound that was run by westerners. Many highlanders, Nuer and other ethnic groups did not participate. Some were real heroes, warning Anuak, hiding them in their homes and standing up for them as friends or fellow human beings. A Tigrayan highlander was recently interviewed by the AJC. He and his Tigrayan neighbors were some distance away where the killing took place, but for hours, they could hear the gunshots, the screams from the victims and see the smoke from the burning Anuak huts. He reports:

About four hours after it started, we saw two Anuak men in their late twenties running into the Tigrayan area, being chased by highlander civilians with machetes and clubs. I ran to them, telling them to quickly come to my house. I then looked for something sharp with which to defend myself and found an axe. My neighbors joined me, backing me up. When the civilians arrived, I said I would not allow them to kill any human being! I told them, 'Leave, or you will have to kill me first.' They stood there until the police came with guns and asked where the Anuak were. I said they were in my house with my wife and my children and that they would have to kill me first! I told them, 'I was a Tigrayan during the time of Mengistu. My family members were taken away and never seen again. I was taken away from my land and was displaced in Gambella. Now this is my home. Because of this treatment done to me and to my family, I will never allow it to be done to anyone else. I was oppressed because of people like you! Being a Tigrayan, we were singled out as a government enemy by our own government. We were stopped for no reason, interrogated, beaten up or killed. I know what it is like and I will not allow it even if Tigrayans are in charge. I would rather choose to be killed than to be part of it or it will never end.' I was ready for the police to kill me, but they did not. They left.

In less than three days, at least four hundred and twenty four persons were slaughtered in a well-calculated plan utilizing a prepared list of the names of educated Anuak men and leaders. As the killing subsided, men from other indigenous ethnic groups were forced to collect the bodies. A Nuer man gave the following testimony to the AJC. He reported:

Some of us Nuer were forced to collect bodies of the dead Anuak. In front of the Gambella Secondary School, we picked up the bodies four or five Anuak men. One man's whole face was smashed, his right arm was broken in about five places. I knew he tried to defend himself. His face, nose and upper and lower jaw were missing. My body started shaking. Another man had fallen on his back and I could see his face. He was still talking, quietly asking me, 'Please help me—please help me.' I didn't know what to do.

One of the defense troops asked me what was wrong. I told him that this one was still alive. He told me to put him in the truck. I couldn't look in the face of the dying man. As I carried him, he opened his eyes and said, 'Please help me or kill me.' He then closed his eyes and died.

That minute, my body stopped feeling. I had no more emotion. I felt like I was collecting rocks—not human beings. I stopped feeling like I was one myself. My hands worked like a machine, but it was like I was not there. There were about twenty bodies piled on top of each other and we were told to take two

more bodies into the truck before unloading it outside the town. I took a breath and saw blood pouring down from the truck as it started to move. I looked in the back of the truck and the bodies were going in all directions. I realized these Anuak had been alive four or five hours before and now looked like fish in the back of a canoe. With all the human blood on me, I smelled like one of those fish. I could hear gunshots and knew more Anuak were being killed. I will never be the same person anymore. I cannot go on like this.

We, the Anuak and Nuer, have been fighting for many years, but we never have killed each other in this way. Now, like it or not, I have become part of it. I cried for some time before going to the river to wash off the blood. I then went back to my family. I have never told them what I did. You are the first person I have ever told. I do not want to remember. Sometimes I wish I were one of those guys in the truck. Why? Because those guys will never remember, but I am here and I am dying every day. I don't know why human beings do these things. Thank you for wanting to know. If others want to know so they can help stop this from happening to others, it gives me the reason why I remained behind instead of being one of those guys in the truck who can no longer speak.

Many bodies were never identified and were buried in one of three mass graves. The exact locations are unknown although it is known that the bodies were subsequently moved from one of these mass graves and burned on February 4, 2004. Most of the bodies have never been returned to their families for a proper burial. Although the government alleges that only 65 persons were killed, we have the names, ages and pictures of most every one of the 424 victims.

Similar actions were taken by Ethiopian troops in many of the rural towns in the Gambella district, causing many more victims and much more destruction of homes, crops, property and granaries. In addition to those killed in Gambella town, it is estimated that over fifteen hundred more people have been killed since that time.

Preceding and following the incident, over a thousand other Anuak were arrested, imprisoned without charges and tortured. The sick have been denied medical treatment. Two years later, thousands of Anuak men and some women still remain in crowded and unhealthy conditions in prison, many still subject to torture. Their court cases are continually delayed for "another six months" despite most never being charged a crime and essentially being innocent prisoners of conscience. The Ethiopian government reports 111 Anuak as being incarcerated; however, the AJC has obtained only a partial list of names and that list includes well over 800 persons.

Nearly ten thousand Anuak fled to Sudan for refuge. Approximately four thousand remain today, afraid to go back home, as it is still unsafe. Many who have returned, have been arrested or killed. Therefore, they remain in the refugee camp where they are living in horrible conditions, without clean water, adequate food, education for their children and any health services. Others have been internally displaced and as they have slowly returned home, they face hardship and conditions they had not seen for fifty years.

Anuak men and some women continue to be subject to harassment, arbitrary arrests, beatings, detentions and extra judicial killings. Rape of Anuak women remains widespread, and while it is greatly unquantifiable, human rights investigators have concluded that Anuak women throughout the region have almost universally suffered from this crime against their person by Ethiopian Defense Troops.

During the last two years, human rights violations were committed against the Anuak by the same government who was supposed to defend them. It is the worst kind of betrayal—like a child who is killed by his own father. As typical in a culture where citizens are terrorized, some Anuak colluded with the central government, gaining access to power, protection and privilege. Others became increasingly passive, losing hope of a better future. Some escaped, leaving for Sudan and Kenya, until stability returns to the area. Understandably, as political expression led to intimidation, imprisonment and death, some Anuak decided to join resistance movements, attempting to defend themselves, their families and their endangered fellow Anuak.

The extent of the genocide probably could have been reduced had the Anuak not been disarmed by the government, leaving them unable to defend themselves. The goal of most of these resisters is in reaction to this and has been an attempt to bring a halt to the continuing extra judicial killings, beatings and rape.

However, unfortunately, but not unexpectedly, some scattered rogue groups of Anuak have gone beyond defending themselves, retaliating in pent up anger against some innocent highlander citizens and fellow Anuak who have collaborated with the government. In response, Ethiopian Defense Troops have arrested, beaten or killed

Anuak farmers or other easily found, but innocent Anuak targets. In fact, even before the massacre, it had been common practice for the government controlled police or military to go into villages where suspected assailants were thought to be hiding, and for them to randomly kill uninvolved Anuak men, women and children.

Other Anuak are trusting that God will ultimately provide justice for their loved ones. An elder woman reported to the AJC:

“It is God who is giving me hope and strength to remain here and watch over the graves of my two sons, my grandson, my son-in-law and my nephew. We have nothing left. I am an elder and I am not going to run from death anymore, but will be a witness to those who want to ask about them. I have no hope in finding justice for them except that I have a very strong hope in God. It is He who is giving me the assurance that justice will be done. This is what allows me to carry on despite this unthinkable thing that the Ethiopian government has done to me and to my people. Like a person who plants a crop in their yard, they will not forget to water it. Like a mother who gives birth to a child, she will not fail to nurture, protect and raise their child to be a respectful human being. But there is someone who is far more loving and powerful than any of these and who will never forget to nurture the Anuak and that is God.”

The Ethiopian Government's Plan: "Operation Sunny Mountain"

Almost simultaneously with the beginning of the human rights abuses, an oil company from China, Zhongyuan Petroleum Exploration Bureau (ZPAEB) began working in the Gambella area to set up extraction of oil reserves that are purported to be of major size, perhaps even exceeding those in southern Sudan. The Ethiopian government gave the Gambella oil rights to Petronas of Malaysia. Petronas then sub-contracted with ZPAEB. It is in this backdrop that these human rights atrocities began and continue today.

Information uncovered by human rights investigators indicate that these crimes were part of a government-instigated plan with an actual name, *Operation Sunny Mountain*, with the objective of eliminating any resistance to federal government control over the vast natural resources found on the indigenous tribal land of the Anuak, particularly the oil.

Since the initial genocide, the Ethiopian military has continued to perpetrate these crimes against the Anuak with impunity. Human Rights Watch released a report on March 24, 2005 that documents systematic and widespread atrocities committed against the Anuak by Ethiopian Defense Forces, Gambella Regional Police and some highlander militia groups. In their report, HRW indicates that these acts meet the stringent definition of crimes against humanity. (Please see <http://www.anuakjustice.org>).

Oil Development in the Gambella Area

The Chinese Petroleum Company, Zhongyuan Petroleum Exploration Bureau (ZPAEB), contracted by Petronas, the Malaysian company, will start drilling the first exploratory well in the Gambella concession in February 2006 now that the major operation has been set up. The Ethiopian government signed an agreement to explore and develop the oil reserves in Gambella. Reports indicate that they are on or ahead of schedule and should complete the first well within the dry season ending in May. As donor countries threaten to withdraw their funding to Ethiopia, profits from the oil could supplement what is lost, weakening the effect of this financial pressure.

Ethiopian defense troops are returning to the Gambella area in order to “ensure stability” during this process. With the return of the troops, Anuak fear the return of the daily killings, rape, harassment, torture and disappearances of Anuak who simply are involved in the basic chores of their lives, but are found by troops in the wrong place and at the wrong time.

The government and the oil company have essentially pushed the Anuak aside and moved onto land previously considered to be the indigenous tribal land of the Anuak. Ethiopian troops have turned local Anuak farmers into “slave-laborers” as they are forced to build and to set up their military camps to protect the Chinese and Malaysian workers. The Anuak farmers receive no remuneration despite the fact that this is the time of year when the farmers would have been preparing their land for the planting their crops. These camps have amenities such as electricity and clean water, while a parallel economy exists in nearby Anuak villages, where there are no such advantages.

As Anuak see the central government in Addis working directly with the oil company, making all the decisions regarding the oil without any consultation with regional authorities, in violation of international and Ethiopian law, they are realizing

that they will never have a share in any of the benefits of this resource unless substantive action is taken.

Aftermath of the Genocide:

The Ethiopian Defense Troops left a trail of destruction that has wreaked havoc on the already limited infrastructure of the Anuak community. Many Anuak say it is as if the progress made over the past years by community members, development organizations, churches and other contributors, has essentially disappeared. They are forced to live under conditions reminiscent of life under Emperor Haile Selassie. In addition, in most Anuak districts, freedom of movement is restricted by the Ethiopian government to two days per week, on Mondays and Fridays.

A primary loss was access to clean water. Before December 2003, there were 119 water wells in Anuak areas. Currently only five wells are in working condition.

Previously, there were 136 schools in operation in Anuak areas, now there are 27. The Anuak rates of school attendance in the Gambella region show that fewer than 8% of Anuak boys and 4% of Anuak girls are attending school in two Anuak districts. The attendance rate of children from other ethnic groups in the area is much greater, being 50% for boys and 30% for girls. The same report previously mentioned that was completed but not released by a UN entity, warns that an entire generation of Anuak children are going without an education.

A recent visitor to the area viewed some of the vacated Anuak schools. In plain view inside these schools were piles of charred hardware from the desks, tables and chairs that had been used as firewood by Ethiopian troops who had occupied the schools, using them for barracks. Nothing of any value was left in these schools, including books and supplies.

Due to ongoing human rights abuses in the rural areas, many of the schools in operation have few or poorly trained teachers, as many of the teachers were targets of the massacre. Of those who lived, a majority either escaped to Sudan following the genocide or since that time, have moved to Gambella town where they are safer and not subject to arbitrary killings and arrests. Gambella, as the largest town in the region, is in the public eye and therefore is safer. The government has deceptively used the relatively better conditions and stability in Gambella as their proof to outsiders of the stability in the area.

Ethiopian troops also took over health clinics, again using them as barracks. Previously, 22 health clinics were functioning, now there are only 7 left. Most of the clinics have no supplies, medication or equipment left.

Malnutrition is a continuing major crisis. Anuak in one of the three refugee camps in the region have suffered disproportionately in comparison with other refugee populations. Within the internally displaced Anuak population in the refugee camp, the rate of acute malnutrition earlier in the year has been estimated to be 36.5% and continuing to rise. (Acute malnutrition in children under five years of age is 11% in Ethiopia.) This is astonishing considering that the Anuak have most always been able to support themselves due to their fertile land.

The rates of malnutrition outside the camps, in the rural communities, may be even higher due to Ethiopian Defense force interference with farmers. Rates of disease, malnutrition and susceptibility to disease, including HIV/AIDS, tuberculosis and malaria are extremely serious. According to one medical official, the prevalence of TB amongst the Anuak is eight times what is considered to be an epidemic.

The prevalence of HIV/AIDS amongst the Anuak of the Gambella region is over 19%, whereas the rate in Ethiopia is much lower. Due to the widespread incidence of rape of Anuak women, the prevalence of HIV/AIDS will certainly increase. In addition, many of the women have untreated sexually transmitted diseases due to the lack of health services in the area.

Anuak Justice Council

The Anuak realized that they had to take action to protect their small and endangered ethnic group. As a result, the Anuak Justice Council (AJC) was formed for this purpose. It is an umbrella organization for Anuak that formed following the genocide and crimes against humanity. The AJC's goal is to find a non-violent solution to the widespread human rights crimes being perpetrated against the Anuak in the Gambella region of Ethiopia by Ethiopian Defense Forces. The AJC's approach to restoring peace, justice and the rule of law to this area is by means of international advocacy. The AJC is a non-profit, non-political organization representing Anuaks in Ethiopia, Sudan, Kenya and in the Diaspora.

The AJC cannot protect the Anuak and save them from extinction without help from the international community and policy makers such as you. Please join with the AJC to work towards procuring justice and peace for the Anuak so they can live in harmony with the rest of Ethiopia and the global community.

Reasons why justice for the Anuak of Ethiopia cannot be found

Those who were involved in the planning of the massacre of the Anuak and the continued repression of the Anuaks in Gambella are currently in high-level positions within the federal government of the EPDRF. In the Gambella region, these federal leaders continue to exert nearly total control over regional matters through the use of handpicked pro-government sympathizers from the various ethnic groups, including the Anuak. Omot Obang Olom was one of these who collaborated with the Minister of Federal Affairs, Abay Tsehay, the Minister of Federal Security, Barnabas Gebre-ab and the Head of Security for the Gambella Regional State, Almaraw Alemmeraw in planning the massacre. It is well known that it was he who provided the list of educated Anuak leaders who disagreed with the ruling party's plans for the region prior to the incident. He was just recently (September 2005), in a reportedly rigged election, given the position of governor of the Gambella region.

Human rights investigations and local witnesses indicate that Barnabas Gebre-ab and Almaraw Alemmeraw were so heavily involved in the massacre and cover up that they are referred to by some as the "Ministers of Genocide." Alemmeraw continues to be the power behind the current regional government in the Gambella region. He actually ran the region from the time of the massacre until September of 2005.

Gebre-ab was transferred to another position within the government, possibly due to being repeatedly mentioned by witnesses in the human rights investigations. These men were also allegedly repeatedly involved as the two masterminds in fomenting ethnic conflict between the Anuak, the Nuer, the Majenger and the highlanders. They reportedly justified the assumption of increasing levels of power in the region as they instigated the instability.

On January 28, 2004, the US Ambassador to Ethiopia, Aurelia Brazeal, held a special private meeting in Gambella with some Anuak, Nuer and highlanders where they felt empowered to speak the truth. Ambassador Brazeal later issued a public statement urging the Ethiopian government to "bring the perpetrators of these crimes to justice, wherever they are found, even from the highest offices." She called the Gambella region, with its vast natural resources, "the conscience of Ethiopia" after she learned that the Ethiopian government had realized that the fastest route to economic prosperity was from the untapped natural resources in the area.

Following the Ambassador's public statement, Tadessa Selassie, the Chief of Police in Gambella, and an active organizer of the massacre was arrested since witnesses repeatedly mentioned him in the meetings. However, shortly thereafter, he was released and has now resumed his job as the current chief of police of the entire Gambella region.

It was also then that six innocent men from within the ranks of the Ethiopian Defense Force, were arrested. However, information has been received that they were not even stationed in Gambella until months after the massacre.

Over two years later, not even one of the perpetrators of these "Crimes Against Humanity" has been held accountable. A Gambella police officer, from another ethnic group, was asked how many people had been arrested from the many who had been involved in the killing of the Anuak. He said, "None, one hundred percent were never arrested. The only people arrested are the people who had nothing to do with the killings!"

Anuak have been threatened and intimidated to not reveal the identity of the real perpetrators even though some are living nearby or even next door to the perpetrators of these crimes. Some highlanders are taunting the Anuak saying, 'We killed you like dogs! It's been two years now. What have you done?' In other words, you thought you would find justice, but the government is still here and so are we!

The Ethiopian government's investigation—a whitewashed report!

When an Ethiopian parliamentarian presented a bill to Parliament asking for a government inquiry into the massacre of December 13, the Speaker of the House rejected it before it was heard, indicating it was senseless to vote on it because the Ethiopian defense forces were not involved and instead, it was another incident of ethnic conflict between the Anuak and Nuer over the land.

However, when the Ethiopian government continued to receive significant pressure from the international community and when foreign aid was linked to completing an independent investigation, the executive branch of the government of Prime Minister Meles Zenawi, finally appointed their own commission, without ever bringing it before the Parliament. The head of this commission was the head of the Supreme Court, Kemal Bedri. It is not surprising that he was also appointed to be the Chairman of the Electoral Board during the May 2005 national election.

The report is full of flaws, inconsistencies and lacks detail. In addition, reports from participants and witnesses to the interviews indicate that the commission

closely controlled and suppressed information from eyewitnesses of the massacre. A full international investigation is necessary, as this report is so biased that it is useless in establishing the facts and in holding anyone accountable for the crimes.

The Commission's report bases the cause of the massacre as ethnic violence between the Anuak and the Nuer, accusing them of vying for political power and resources in the region. It then refers back to ethnic incidents in 1995 and 1996. It does not address on what basis they purport that the massacre was ethnic violence when all of the victims were Anuak, not Nuer.

Ethnic conflicts have occurred between the Anuak and the Nuer. These conflicts usually occurred as the pastoral Nuer moved into the traditional land of the Anuak, looking for more land for their cattle from the Anuak who are mainly farmers. However, these conflicts were usually settled according to their cultural traditional ways until the EPDRF government became adept at fomenting conflict between them. They perfected this approach through utilizing preferential treatment in services and opportunities, through resettlement practices that encroached on established Anuak land, by ignoring or punishing legitimate complainants and by disarming the Anuak and conversely, supplying guns to the Nuer or others that were ultimately used against the Anuak with impunity.

As the Anuak stood up for their constitutional rights, they were intimidated, arrested or oppressed. The government usually found indirect means and trumped up reasons to justify this repression of legitimate self-determination. In fact, we purport that the Ethiopian government was the main contributor to the ongoing strife in the region prior to December 13, 2003, which then gave them an excuse for taking increasing control of the region.

It is appalling that even though the report does admit that some police, high-lander militias and defense troops were involved, none of these have been held accountable. Instead, in their list of perpetrators being held on charges, most all of them are Anuak even though none of the witnesses in their own report ever accuses an Anuak in their statements. In the conclusion of their report, they indicate that the cause of the Anuak massacre are the Anuak and that the heroes of the incident were the defense forces, with the exclusion of the few who they report killed thirteen persons. This report from the Commission of Inquiry does not meet even minimum international standards for investigative practice.

Has Ethiopia become a "Vampire State?"

Manmade destruction can tear down years of work towards the development of the area. We can see the poverty and hardship amongst people who usually can provide for themselves through their own hard work. We can see how denying food, health care, clean water and education has and is being used to oppress these people and further jeopardize their lives—in a passive form of genocide. Under this backdrop, providing humanitarian need becomes a huge black hole unless the man-made source of the problem is confronted.

George Ayittey, a highly respected African economist from American University in Washington DC, convincingly points out that the corruption by governmental leaders of what he calls "vampire states", has created a climate where investment and development cannot take place because their leaders' own objectives, of exploiting the people and resources for their own power and gain, lead to taking over and subverting every key institution of government in order to serve their own interests.

He states in his article, "Down and Out! Who Broke Africa?" that they have their hands so steeped in blood and their pockets so full of booty that they are afraid that all their past gory misdeeds will be exposed if they are removed from office, so they cling to power at all costs, implementing only the barest minimum cosmetic reforms that would ensure continued flow of Western aid."

Ethiopian Justice System: A Judge's Testimony

A judge interviewed by the AJC gave the following testimony:

"You ask if there is justice in Ethiopia and my answer to you is, none. Even in the wild jungle there is more justice than what we have here! There is no name for what we have! The bylaws and articles we have in the Constitution are meaningless. We have been ordered like dogs, to go do one thing, and then we are ordered to do the opposite—all the time. The federal system interferes all the way, even to the district level."

"I am giving this testimony because I am sick of living with this kind of justice. I breathe it each morning and day and it is haunting me down! Maybe by getting this out today, if I die tomorrow, I will feel I have contributed to bringing justice to these people who are not guilty of anything but being an Anuak."

"I went to law school as a young man, thinking I would try to stand up for those people who have no voice—to fairly judge based on my conscience that my

family taught me; to live on a good moral base that respects humanity! What I am now instructed to do now, is not what I was instructed to do when I began!"

"Justice for those who were massacred on December 13th, will not prevail unless an independent body investigates who ordered the killing, who participated in the decision and who carried out the actual killing of the people! It must be handed over to an independent justice system who will carefully analyze it, bring it to court and in a fair trial, let them who did these crimes, be found guilty and put it all to an end!"

"It is only then that people can heal from their pain and reconcile with each other. This is not possible in Ethiopia as long as this government is here. What is happening in Gambella is happening all over Ethiopia! Having hope in finding justice in Ethiopia is useless! Justice only applies to those who have a political position."

"Since December 13th, every day I have been feeling what Socrates said, 'that a life not examined is not worth living.' Since that, I have examined my own life and realized what is wrong, but I have had no way of correcting or changing it. I am doing what I am doing to support my family and sometimes when I think about it, it is no different than stealing money to support my family. This is what I deal with—even my own wife does not know!"

"I am giving this information because it may bring justice beyond my bench and court. I have been a prisoner of this bench and of my own thoughts! My own mind is a prison! This will release me! What I am saying may cost me my own life, but it will enrich other people's lives who will not be haunted by their own thoughts as I am."

"I hope it will do justice wherever it reaches. If I speak up or refuse to do what I am instructed, I will end up behind bars like those imprisoned across the country. I will leave it to God! My only hope is that the end is not far away and that justice will come to Ethiopia!"

Why is it imperative that the US take immediate action?

The current government of the EPDRF has been in power for more than 14 years. During much of this time, they have been actively involved in violations of the human rights of its subjects, particularly in the rural areas, such as in Gambella, where disempowered and silenced people are on land endowed with natural resources. Since May 2005, the repressive nature of this regime intensified not only in the rural areas, but also in the capital city of Addis Ababa. The Ethiopian people are now being exposed to barbaric and arbitrary killings, torture and mass incarceration on an incredible scale.

US military aid is being used against Ethiopian citizens as a means of prolonging the life of this regime. Consequently, the suffering of the intended beneficiaries of the aid is also being prolonged. American taxpayers should protest having paid for the US military aid to Ethiopia that funded the purchase of American made weapons used in the killing of innocent Anuak in the genocide of December 2003. Evidence of that was found in the area. Despite Prime Minister Meles' public statement calling the large scale genocide "fiction," US Marines saw evidence to the contrary.

Three days after the massacre began; they rescued US citizens from Gambella. They could see smoldering huts, still burning after being set on fire. They could see bloodstains on the streets of Gambella. They heard the testimony from US citizens who had directly witnessed the killings.

Ethiopia is considered to be strategic to the US in its fight against terrorism, but our "partner" may not be whom we expected. The government of the EPDRF can be best known by their actions. Instead of being partners in stabilizing the Horn of Africa, they are a government deeply entrenched in the use of terroristic tactics of oppression against their own citizens, accomplished in manipulating the truth to cover up for it and in hanging on to power lest they ever be held accountable. The question is, how long will the Ethiopian people put up with this before a full-blown crisis results? Ethiopia, as a potentially failing state, needs substantive diplomatic and economic intervention in order to avert such a national crisis and to protect its citizens from additional suffering and the loss of life. An imploded Ethiopia can certainly be more dangerous to the US than exerting pressure for diplomatic solutions at this time!

For years, the Ethiopian people have looked to the US as allies and friends, but have recently been disappointed and disillusioned with the lack of attention and action directed towards the continent of Africa. Criticism is increasing that US rhetoric does not apply to Ethiopia. Ethiopians are reaching out for help, but are not being heard.

The US has a large Ethiopian population of US citizens who are calling for action. It is not in times of prosperity that one finds out who is really your friend, but in times of crisis where significant engagement is needed. This is such a time for the Anuak and the people of Ethiopia. The US is in a desirable position that could allow the US to assist in shaping a better future for generations of Ethiopians to come. If we fail now, new friends may immerse for the Ethiopians, some with whom we may not share common values and vision. Some of these new economic or political partners may actually further exploit the Anuak and other Ethiopians. They may also further undermine our strategic relationship with this "partner against terror." In this strategic area of the world, where stability is already in delicate balance, the impact of meaningful action may have far and long reaching benefits. Can we afford to ignore this opportunity?

Objectives of the AJC:

1. The Ethiopian Government should cease all human rights violations against the Anuak and any other oppressed Ethiopian citizens as obligated by international treaties and the Ethiopian Constitution.
2. The Ethiopian Government should hold the perpetrators of crimes against humanity accountable and bring them to justice.
3. The Ethiopian Government should respect Anuak's and other Ethiopian's human rights and fundamental freedoms.
4. The Ethiopian Government should release Anuak and all other Ethiopian political prisoners, including those in the CUD and others being held for years in the government's custody as prisoners of conscience.
5. The Ethiopian Government should allow local jurisdiction over regional affairs in Gambella and other areas of Ethiopia, including over its people and land, over the education, health, economic affairs, over the development of natural resources and equitable distribution of profits from such resources and over the internal defense and security.
6. The Ethiopian Government should provide access to mass and other gravesites by international forensic experts to exhume bodies, identify those bodies where possible and to give those bodies back to families and loved ones for a proper Anuak burial.
7. The Ethiopian Government should provide economic assistance to support services to address emotional, physical, and psychological trauma to Anuak and to non-Anuak within the Gambella region.
8. The Ethiopian Government should provide for fair and equitable distribution of power and resources.
9. The Ethiopian Government should provide reparations to the Anuak for emotional and physical injuries, loss of life and destruction of property.

Recommendations to the US Government and international donor community

1. That the US government authorities condemn the atrocities and bring diplomatic (financial) pressure to bear on the Ethiopian regime, calling on them to refrain from the gross violations of human rights that it is committing against any of its citizens.
2. That the US government would live up to their commitment to safeguard and defend human rights in Ethiopia as a member of the global community, where arbitrary killings and incarceration have become the order of the day under the current regime.
3. That the US government put pressure on the Ethiopian government to immediately and unconditionally, release all Anuak political prisoners, the entire elected CUD leadership and other prisoners of conscience; dropping all the absurd charges of treason and genocide.
4. Denounce the current regime for illegally and unjustly derailing the vibrant democratic environment, identifying it as the true engineer of a national crisis that aims to divide ethnic groups and spread confusion, mistrust and suspicion across the nation and instead call on them to promote good governance, personal freedoms and respect for the rule of law as laid out in the Ethiopian Constitution.
5. Fully support an international inquiry into the Anuak massacre of December 13, 2003 and the killings in Addis Ababa following the derailment of the democratic election that began so well, but ended in an unfortunate post-election crisis.

6. That the US government intercede with immediate action so as to prevent the situation from deteriorating further.
7. That the US Government express their solidarity with the oppressed and suffering people of Ethiopia by clearly speaking out against the tyrannical tactics used by this regime to repress political expression and basic freedoms.
8. That the US reconsider, examine and reassess all its bilateral agreements with the current dictatorial regime of Ethiopia.
9. That the US encourage the process of a dialogue with Ethiopian communities both at home and abroad with the objective of promoting democratic freedoms in Ethiopia.

A Call to Join Voices with those in Dark Places

An Anuak woman speaks out:

I believe that one day God will give me the years to live to be able to tell what happened to me and to my people; when no one was there as a witness, when no international community was there to protect us and when no camera lens was there to bring this injustice to worldwide view. I, and those others who survived, will be able to be the missing lens that never before reached to Anuakland.

I am no longer concerned that my husband's body was never found or that he has never had a proper burial, instead I am looking forward to sharing the last minutes of his life as he was hacked to death by machetes as he struggled to breathe. I have an obligation to pass this on to the next generation; not only to Anuak, but to human kind who want to leave the world behind the lens of suffering, pain, death and sadness to a world more filled with hope, joy and happiness.

I hope that my voice from the darkness travels a distance to a far away land where I have never been. This voice of mine that I want them to hear is this, 'The world does not have to be this way. Take action. Every time you hear a voice of a desperate person in the darkness, do not ignore it. Please do something. Take the first step. Courage starts with one person, like a song that someone will start and others will join in to sing.'

The Anuak Justice Council calls on those in the global community to join voices with this Anuak woman and with those other voices from Ethiopia where there is such widespread suffering. Even though the horrendous actions of the current regime of Prime Minister Meles Zenawi have been uncovered, the international community has not done enough to support the Ethiopian people in their fight for democracy and the rule of law.

Action is critical before frustration reaches to the point of inciting some to violence, resulting in more death and chaos. The stakes are high, yet each voice added to the chorus adds to the power of its reverberation throughout the global community of those who value human kind.

No longer are there remote places in this world where brutal dictators can hide. We must not only listen but also be willing to take action if we want our world to be a better place for our children.

If many join together in harmony; crossing national, ethnic, cultural and religious lines; defending the persecuted and oppressed in our world—it will indeed be a beautiful song!

A few brief words in summary about how the U.S. government should proceed from here. The United States has always played an important role in trying to bring the two sides together and reach a political settlement in the world. Therefore, I would like each of our witnesses to address what, in their view, are the main obstacles to the full implementation of justice, peace, freedom, democracy and secondly, what specific action or role should the U.S. play in helping to achieve a long-lasting peace.

Lastly, I would like to commend the work of Chairman Smith, as well as full Committee Chairman Hyde, Congressman King and Congressman Walsh for their efforts on behalf of peace, justice and economic development in Ethiopia. I would also like to personally thank each of them for working with the Anuak and other Ethiopian to try to come up with a resolution that we can all agree upon that articulates the support of the House of Representatives for the peace process in Ethiopia.

Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Mr. Metho, thank you very much for your passion and challenge and we have made a note of your com-

ment about the bill and we will make an inclusion of the Anuak. I think your point was very well taken.

Let me just say, we invited you to be here because we really wanted to hear what you had to say and you said it with great passion and great power, so thank you so much.

Mr. METHO. Thank you.

Mr. SMITH OF NEW JERSEY. Ms. Fredricksson.

**STATEMENT OF MS. LYNN FREDRICKSSON, ADVOCACY
DIRECTOR FOR AFRICA, AMNESTY INTERNATIONAL**

Ms. FREDRICKSSON. Thank you, Chairman Smith, Congressman Payne and distinguished Members of the Subcommittee and staff. I would like to thank you for holding this important hearing and for allowing Amnesty International this opportunity to address rising concerns about the deteriorating state of human rights in Ethiopia since last year's elections.

I have submitted my full remarks for the record. By way of brief introduction regarding the overall need for political freedom, while the U.S. Department of State recently included in its *Country Report on Human Rights Practices* on Ethiopia that "Ethiopia continued its transition from a unitary to a Federal system of government," it also included a detailed depiction of deteriorating human rights conditions throughout the country. In a dismissive response to that report the government of Ethiopia issued a statement protesting that it "gives special attention to respect for human rights as enshrined in the national Constitution." We have seen little such attention since the May 2005 elections.

Amnesty International is increasingly concerned that the government of Ethiopia is systematically violating its citizens' most basic political rights. We are particularly concerned that the government and ruling EPRDF party have not allowed members of political opposition parties, human rights defenders, independent journalists and other citizens their basic human rights of speech, press, assembly and association. The security forces have committed serious human rights violations with impunity against demonstrators and political detainees. A parliamentary commission appointed by the prime minister to investigate shootings by security forces and violence by opposition demonstrators in June and November 2005 has not yet reported on these abuses and their circumstances. There are doubts whether it has conducted or will conduct impartial and independent investigations to which members of the public can freely and safely give testimony.

The U.S. Government has provided a range of assistance to the government of Ethiopia beyond critical ESF, Child Survival and Health and Transition Initiatives funding, including Foreign Military Financing and International Military Education and Training or IMET. But our Government barred the sale of Humvee military vehicles to Ethiopia after it used previously purchased vehicles to allegedly quash political protests late last year. We also note that in January the British government cut off \$88 million designated for Ethiopia due to concerns about governance and human rights issues arising after the elections.

Regarding the general situation in early 2005 leading up to the May 15 elections, despite ongoing human rights violations often

linked to the ongoing internal armed conflicts in the Oromiya and Somali Regions, Ethiopia appeared to be turning a corner. Ethiopian Prime Minister Meles Zenawi sat on Tony Blair's Commission for Africa. The government of Ethiopia was allowing some international press access and space for political opposition rallies, particularly in Addis Ababa, although considerable intimidation of opposition parties and supporters in certain rural areas was being reported. The government of Ethiopia also established an early warning system to monitor drought conditions with international donors.

Yet since the disputed elections, as accusations of electoral fraud emerged along with demonstrations in protest, government officials have greatly increased the level of political repression, including arbitrary arrests and detention, torture, extrajudicial killings, repression of ethnic minorities, intimidation of students and teachers, suppression of press freedom and the less well-reported practice of targeting peaceful political opposition in the countryside.

In June, 36 demonstrators were killed and dozens wounded on the streets of Addis. In November, after final election results were announced, at least 42 people were killed in demonstrations apparently planned to be peaceful, which turned violent. Seven police officers were also reportedly killed. After the June incident, tens of thousands of people were arbitrarily arrested, detained for several weeks without charge, subjected to ill treatment, then provisionally released.

CUD leaders and several thousand suspected CUD supporters were also arrested in November. More were arrested in student demonstrations in December and since then as well. Although some 8,000 or more detainees have been provisionally released, many thousands more are still believed to be held in incommunicado detention.

Now I would like to focus for a moment on arrests and detentions. As has already been noted in this hearing today, Amnesty holds that the charges of treason, outrages against the Constitution, organizing and inciting rebellion and acts of genocide levied against some 131 CUD leaders, human rights defenders and journalists have no merit. The charges may possibly carry death penalty sentences.

Though we welcome the recent release of 18 detainees, including five who worked with the Voice of America on March 22 of this year, we do not believe that the Ethiopian judiciary should be allowed to "maintain its right to reinstitute charges against them." Amnesty International maintains that these parliamentarians, human rights defenders and journalists and possibly all of the accused are prisoners of conscience who have not used or advocated violence and should be released immediately and unconditionally.

These include Hailu Shawel, Professor Mesfin Wolde Mariam, Dr. Yakob Hailemariam, Ms. Birtukan Mideksa, Dr. Berhanu Nega, Daniel Bekelle, Netsanet Demissie and others. In addition, on March 20, 2006, 33 people including Kifle Tigeneh, an elected parliamentarian, and seven elected members of the Addis Ababa city council were charged with treason and inciting political unrest in a separate but related trial. Several defendants in this case complained of torture and police custody and denial of medical treat-

ment for torture injuries. A CUD lawyer, Berhane Moges, was remanded into custody for an additional 2 weeks and may be put on trial, as may other CUD supporters still in detention in other places.

A number of these detainees have traveled to the U.S., taught in our universities, lived in our communities. Their plight is of great concern to many of our own U.S. citizens, as well.

The CUD trial proceedings began on February 23 before the Federal High Court. Many of the defendants have refused to plead and refused legal defense by way of protest. Not guilty pleas have been entered on their behalf. The defendants are currently being held at the Kaliti Prison on the outskirts of Addis and restricted access to their families and reports of possible ill treatment, such as delays receiving medical attention, have been reported. Amnesty continues to monitor trial proceedings to access their adherence to international standards.

Another set of trials also warrants mention. We have learned that the trials of the former pre-1991 Dergue government and ex-President Mengistu Hailemariam, in exile in Zimbabwe, are nearing completion, although other Red Terror trials continue. While we are pleased that the government of Ethiopia charged and tried members of Hailemariam's brutal 17-year regime, their trials on capital charges have taken over 13 years to complete. Amnesty International urges the government of Ethiopia to refrain from the use of the death penalty in these trials and to observe a moratorium on executions with the view to eventual abolition.

To note briefly a few of the specific populations who have been most heavily targeted by the government regarding students, college and high school students have been subjected to intimidation, police brutality and arbitrary detentions at election-related and other demonstrations particularly in Addis and Oromiya, leading to closures of many educational institutions.

Regarding human rights defenders, members of the Ethiopia Human Rights Council have been detained and the organization's activities have been generally restricted. The government and EPRDF have been demonstrating a generally adversarial attitude toward human rights organizations and human rights defenders, monitoring and restricting their activities. Civil society activists from ActionAid, OSJE and the Ethiopia Teachers Association are among the accused in the CUD trial.

Regarding journalists, press freedom has been significantly curtailed since last year's elections. Fourteen journalists are among the accused in the CUD trial. Several private newspapers have been shut down completely. Also troubling is the government's attempts to censor international press as evidenced by the initial inclusion of five Voice of America employees in the CUD trial. A disturbing new press law is currently being prepared, as well.

Regarding political opposition, leaders of the main opposition party, the CUD, remain behind bars. Many newly elected CUD candidates have chosen to boycott the Parliament and the City Council of Addis, although the United Ethiopia Democratic Forces parliamentarians have chosen to assume their seats, they have also criticized the detentions of CUD parliamentarians whose immunity has been withdrawn. Additionally, peasants in many areas rejected

the EPRDR in elections last May despite intimidation. Many are facing well organized attempts to punish them for their decision. Besides predawn raids in which young men are pulled from their villages and beaten, peasants are being denied access to seeds, fertilizer and credit by way of retribution.

Regarding the Oromo and other minority groups, in the Oromo and Somali regions where armed opposition groups are active, members of the Oromo and Somali ethnic groups have frequently been targeted for human rights violations, including arbitrary detentions, torture, disappearances and extrajudicial executions on suspicion of links with armed groups based in Eritrea. Few have been charged or brought to court.

In the remote and extremely underdeveloped Gambella Region on the southwestern border with Sudan, rights to free speech and assembly are still affected by the killings of hundreds from the Anuak ethnic group in December 2003. In March 2005 six soldiers were charged with those killings. Some 900 are still detained in this region.

Finally, some 42 members of the Ethiopian Orthodox Church were arrested, two killed and several injured during church celebrations of Timket in January of this year. However, such targeting of the Ethiopian Orthodox Church has been occurring for at least 18 months.

The EPRDF has also taken steps to extend political control through increased surveillance and intimidation tactics. Beginning in 2004, they developed two sublevels of political organization below the kebele, the gott and the garee. Essentially every rural kebele is divided into groups of 60 to 90 households called gotts and they are further divided into groups of 10 to 20 households called garees. Each administration office is then staffed by EPRDF supporters tasked with reporting all household activities. The political implications of this are ominous.

Finally regarding escalation over border demarcation with Eritrea, the backdrop to these increasing human rights violations is the country's continued border dispute. Ethiopia has said it accepts in principle the international border commission's ruling, which includes stipulation that the small border town of Badme, the flashpoint of the war, is situated in Eritrean territory. But the government of Ethiopia is also calling for further negotiations.

Threatened violence and political uncertainty are already having dire effects on the livelihood, health and right to movement of local populations. Amnesty International fears that there would be massive violations of human rights law and humanitarian law in the event of any renewed conflict.

These are our recommendations. To the government of Ethiopia, to ensure a thorough, impartial and independent investigation into the killings of demonstrators by security forces as well as violence against security forces on June 8 and in early November 2005. We also call on the government of Ethiopia to immediately and unconditionally release all prisoners of conscience, to ensure a fair trial according to international standards to all detainees against whom charges are maintained, to ensure that all political detainees are treated humanely in custody and in accordance with international and regional standards, to recognize and respect rights of speech,

assembly, association and press as set out in the Ethiopian Constitution as well as international and regional human rights treaties to which Ethiopia is party and to respect the legitimate role of Ethiopian human rights defenders and civil society activists, as well as their counterparts in international organizations.

Amnesty also calls on the U.S. Government to support these recommendations to the government of Ethiopia to make human rights central to United States relations with the government and with Ethiopian civil society, to take actions necessary to successfully press the government of Ethiopia to release all prisoners of conscience immediately, including ones named in this report, to actively monitor all political trials in Addis Ababa and other places and to demand that they fulfill international standards for fair trials and actively monitor the treatment of political prisoners, prisoners of conscience and all political detainees. To continue to press the government of Ethiopia to do everything in its power to avoid conflict with Eritrea and to protect the human rights of all those living on the border. To continue to provide humanitarian systems required to support the basic human rights of the Ethiopian people.

I thank you again for this opportunity to present testimony today.

[The prepared statement of Ms. Fredricksson follows:]

PREPARED STATEMENT OF MS. LYNN FREDRICKSSON, ADVOCACY DIRECTOR FOR
AFRICA, AMNESTY INTERNATIONAL

Chairman Smith, Congressman Payne, and distinguished Members of the Subcommittee, I would like to thank you for holding this important hearing and for allowing Amnesty International this opportunity to address rising concerns over the deteriorating state of human rights in Ethiopia since last year's elections.

INTRODUCTION: THE NEED FOR POLITICAL FREEDOM

While the U.S. Department of State recently included in its Country Report on Human Rights Practices in Ethiopia that "Ethiopia continued its transition from a unitary to a federal system of government," it also included a detailed depiction of deteriorating human rights conditions throughout the country. In a dismissive response to that report the Government of Ethiopia issued a statement protesting that it "gives special attention to respect for human rights as enshrined in the national constitution." We have seen little such attention since the May 2005 elections.

Amnesty International is increasingly concerned that the Government of Ethiopia is systematically violating its citizens' most basic political freedoms. We are particularly concerned that the government and ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) party have not allowed members of political opposition parties (including elected parliamentarians), human rights defenders, independent journalists and other citizens their basic human rights of speech, press, assembly and association. The security forces have committed serious human rights violations with impunity against demonstrators and political detainees. A parliamentary commission appointed by the Prime Minister to investigate shootings by security forces and violence by opposition demonstrators in June and November 2005 (when excessive force appeared to have been used by security forces) has not yet reported on these abuses and their circumstances. There are doubts whether it has conducted or will conduct impartial and independent investigations to which members of the public can freely and safely give testimony.

The U.S. Government has provided a range of assistance to the Government of Ethiopia beyond critical Economic Support Funds (ESF), Child Survival and Health (CSH) and Transition Initiatives (TI) funding, including Foreign Military Financing (FMF) and International Military Education and Training (IMET). But our government barred the sale of Humvee military vehicles to Ethiopia after it used previously purchased vehicles to allegedly quash political protests late last year. We also note that in January the British Government cut off \$88 million designated for

Ethiopia due to concerns about governance and human rights issues arising after the elections.

BACKGROUND

In early 2005, leading up to the May 15 elections, despite ongoing human rights violations often linked to the ongoing internal armed conflicts in the Oromiya and Somali Regions, Ethiopia appeared to be turning a corner. Ethiopian Prime Minister Meles Zenawi sat on Tony Blair's Commission for Africa considering issues related to political transparency and accountability, economic development, anti-corruption measures, human capacity building and the enhancement of human rights in Africa. The Government of Ethiopia was allowing some international press access and space for political opposition rallies, particularly in Addis Ababa, although considerable intimidation of opposition parties and supporters in certain rural areas was being reported. The Government of Ethiopia also established an early warning system to monitor drought conditions with international donors.

Yet since the disputed elections, as accusations of electoral fraud emerged along with demonstrations in protest, government officials have greatly increased the level of political repression, including arbitrary arrests and detention, torture, extrajudicial killings, repression of ethnic minorities, intimidation of students and teachers, suppression of press freedom, and the less well-reported practice of targeting peaceful political opposition in the countryside (outside the gaze of the international community).

In June, 36 demonstrators were killed and dozens wounded on the streets of Addis Ababa. In November, after final election results were announced (with opposition candidates winning one-third of all seats) at least 42 people were killed in Addis Ababa in demonstrations, apparently planned to be peaceful, which turned violent. Seven police officers were also reportedly killed.

After the June incident, tens of thousands of people were arbitrarily arrested, detained for several weeks without charge, subjected to ill treatment, then provisionally released, particularly at the Dedessa Detention Center in Western Oromiya.

CUD leaders and several thousand suspected CUD supporters were also arrested in November. More were arrested in student demonstrations in December, and since then as well. Although some 8,000 or more detainees have been provisionally released, many thousands more are believed to still be held in incommunicado detention. The CUD leaders and others are now on trial on charges of "treason" and "genocide," and many other opposition activists could also face trials whose fairness is not assured.

ESCALATING VIOLATIONS OF HUMAN RIGHTS: ARRESTS AND DETENTIONS

Amnesty International holds that the charges of "treason," "outrages against the Constitution," "organizing and inciting armed rebellion" and "acts of genocide"¹ levied against some 131² CUD leaders, human rights defenders and journalists (most of whom are in physical custody) have no merit. The charges carry possible death sentences.

Though we welcome the recent release of 18 detainees (including five who work with the Voice of America) on March 22 of this year, we do not believe the Ethiopian judiciary should be allowed to "maintain its right to re-institute charges against them."³

Amnesty International maintains that these parliamentarians, human rights defenders and journalists—and possibly all of the accused—are prisoners of conscience who have not used or advocated violence and should be released immediately and unconditionally.

These prisoners of conscience, who were peacefully exercising their rights to freedom of speech, association, assembly and press, include:

Hailu Shawel (70), president of the CUD
Professor Mesfin Woldemariam (75), former chair of the Ethiopian Human Rights Council (EHRCO)
Dr. Yakob Hailemariam, former UN Special Envoy and former prosecutor at the International Criminal Tribunal for Rwanda
Ms. Birtukan Mideksa, former judge and CUD vice president

¹ Based on accusations of harming and trying to isolate certain members of the Tigrayan ethnic group, which bear no relation to international definitions of genocide.

² Now 115 since charges were dropped against 18.

³ We are also pleased to confirm that prisoner of conscience Amha-Yesus Gebre-Yohannes was released in February after serving 11 years of a 17 year sentence.

Dr. Berhanu Negga, recently elected mayor of Addis Ababa and professor of economics

Daniel Bekelle, anti-poverty activist working for ActionAid, an international development NGO

Netsanet Demissie, anti-poverty activist heading the Organisation for Social Justice in Ethiopia (OSJE)

In addition, on March 20, 33 people including *Kifle Tigeneh*, an elected parliamentarian, and seven elected members of the Addis Ababa City Council were charged with treason in a separate but related trial. Several defendants in this case complained of torture in police custody and denial of medical treatment for torture injuries. A CUD lawyer, Berhane Moges, was remanded into custody for an additional two weeks and may be put on trial, as may other CUD supporters still in detention in different places.

Three investigators from the EHRCO were also detained for a month in June.

A number of these detainees have traveled to the U.S., taught at our universities, lived in our communities. Their plight is of great concern to many of our own citizens.

The latest trial proceedings began on February 23 before the Federal High Court. Many of the defendants have refused to plead and refused legal defense, in protest. Not guilty pleas were entered on their behalf. Only ActionAid, OSJE and an official from the Ethiopian Teachers Association are presenting defense through legal counsel. The prosecution is scheduled to commence with its case on May 2. The defendants are currently being held at the Kaliti Prison on the outskirts of Addis Ababa with restricted access to their families and reports of possible ill treatment (such as delays receiving medical attention). Amnesty continues to closely monitor the trial proceedings to assess their adherence to international standards.

Another set of trials also warrants mention. We have learned that the trials of the former pre-1991 Dergue government and ex-President Mengistu Hailemariam (in exile in Zimbabwe) are nearing completion, although other “Red Terror” trials continue. While we are pleased that the Government of Ethiopia charged and tried members of Mengistu Hailemariam’s brutal 17-year regime, their trials on capital charges have taken over 13 years to complete.

Amnesty International urges the Government of Ethiopia to refrain from use of the death penalty in these trials, and to observe a moratorium on executions, with a view to its eventual abolition.

HUMAN RIGHTS VIOLATIONS AMONG SPECIFIC POPULATIONS

A number of specific populations have been heavily targeted by the Government of Ethiopia, including students, human rights defenders, journalists, members of political opposition groups, and ethnic minorities (briefly examined below).

1. Students

College and high school students have been subjected to intimidation, police brutality and arbitrary detentions at election-related and other political demonstrations, particularly in Addis Ababa Amhara, and Oromiya, leading to closures of many educational institutions.

Tens of thousands of young people from Addis Ababa were arrested in November and taken to Dedessa Detention Center where many of them have been held for months without charge, medical attention reportedly regularly withheld.

2. Human Rights Defenders

Members of the Ethiopia Human Rights Council (EHRCO) have been detained, and the organization’s activities have been generally restricted. The government and EPRDF have been demonstrating a generally adversarial attitude toward human rights organizations and individual human rights defenders, monitoring and restricting their activities. Civil society activists from ActionAid, OSJE and the Ethiopia Teachers Association are among the accused in the CUD trial. Several others have fled the country.

3. Journalists

Press freedom has been significantly curtailed since last year’s elections. Fourteen journalists are among the accused in the CUD trial. Several private newspapers have been shut down completely. Also troubling is the government’s attempt to censor international press, as evidenced by the initial inclusion of five Voice of America employees (naturalized U.S. citizens from Ethiopia) among the original 131 accused of “treason” and “acts of genocide.”

Print journalists have been frequently imprisoned under the 1992 Press Law, and a disturbing new press law is currently being prepared.

4. Political Opposition

Leaders of the main opposition party, the Coalition for Unity and Democracy (CUD), remain behind bars. Many newly elected CUD candidates have chosen to boycott the Parliament and Addis Ababa City Council. Though the United Ethiopia Democratic Forces (UEDF) parliamentarians have chosen to assume their seats, they have indicated strong doubt about their influence and have criticized the detentions of CUD parliamentarians, whose parliamentary immunity has been withdrawn.

Additionally, peasants in many areas rejected the EPRDF in elections last May, despite intimidation. Now many are facing well organized attempts to punish them for their decision. Besides pre-dawn raids in which young men are pulled from their villages and beaten, peasants are being denied access to seeds, fertilizer and credit by way of retribution.

5. Oromo and other Minority Groups

In the Oromo and Somali regions where armed opposition groups are active in particular areas, members of the Oromo and Somali ethnic groups (known in Ethiopia as “nationalities”) have frequently been targeted for human rights violations including arbitrary detentions, torture, “disappearances” and extrajudicial executions, on suspicion of links with armed groups based in Eritrea. Few have been charged or brought to court.

Thousands of school students were arrested in the Oromiya region in November after demonstrating against the government and calling for the release of Oromo political detainees, particularly Diribe Demissie and other leaders of the Mecha Tulema Association (MTA). The MTA is a long established and legally recognized Oromo community association whose leaders have been detained since 2005. They are currently on trial and accused of links with the OLF, which they deny.

In the remote and extremely underdeveloped Gambella Region on the southwestern border with Sudan, rights to free speech and assembly are still affected by the killing of hundreds from the Anuak ethnic group in December 2003. In March of 2005 six soldiers were charged with those killings. Some 900 are still detained in this region.

Finally, some 42 members of the Ethiopian Orthodox Church were arrested, two killed and several injured, during Church celebrations of Timket in January of this year. However, such targeting of the Ethiopian Orthodox Church has been occurring for at least 18 months.

ADDITIONAL HUMAN RIGHTS VIOLATIONS

The EPRDF also took steps to extend political control through increased surveillance and intimidation tactics. Beginning in 2004 the EPRDF developed two sub-levels of political organization below the kebele, the gott and the garee. Essentially every rural kebele is divided into groups of 60–90 households called gotts, and these are further divided into groups of 10–20 households called garees. Each administrative office is then staffed by EPRDF supporters tasked with reporting all household activities. The political implications of this are ominous.

ESCALATION OVER BORDER DEMARCATION WITH ERITREA

The backdrop to these increasing human rights violations is the country’s continued border dispute with Eritrea since the 1998–2000 war. Ethiopia has said it accepts in principle the international border commission’s ruling, which includes stipulation that the small border town of Badme, the flashpoint of the war, is situated in Eritrean territory. But the Government of Ethiopia has called for further negotiations. Eritrea has refused, and severely restricted UN peacekeeping operations in the border zone. Amnesty International fears that there would be massive violations of human rights law and humanitarian law (the Geneva Conventions) in the event of any renewed armed conflict.

Threatened violence and political uncertainty are already having dire effects on the livelihood, health and right to movement of the local populations. We therefore encourage the State Department to continue to promote resolutions to this dispute, including pressing the Government of Ethiopia to do everything in its power to avoid violence to protect human rights.

RECOMMENDATIONS

Amnesty International calls on the Government of Ethiopia to:

- Ensure a thorough, impartial and independent investigation into the killings of demonstrators by security forces (as well as violence against security forces) on June 8 and in early November 2005. This should include: taking evidence from the public as well as members of the security forces; guarantees of safety for witnesses; investigation into the excessive use of force by security forces, arbitrary incommunicado detentions without charge or trial (contrary to Ethiopian law); and reports of torture and ill treatment of some detainees. A report and recommendations should be made public in a reasonable period of time.
- Immediately and unconditionally release all prisoners of conscience detained in Ethiopia, including members of parliament, human rights defenders, independent journalists and nonviolent student protesters.
- Ensure a fair trial according to international standards to all detainees against whom charges are maintained.
- Ensure that all political detainees are treated humanely in custody in accordance with international and regional standards for the treatment of prisoners, with particular regard to medical treatment, family visits and communications, and permission for reading and writing materials.
- Recognize and respect the right to freedom of speech, assembly, association and press, as set out in the Ethiopian Constitution, and international and regional human rights treaties to which Ethiopia is party.
- Respect the legitimate role of Ethiopian human rights defenders and civil society activists and their counterparts in international organizations.

Amnesty International calls on the Government of the United States to:

- Support these recommendations to the Government of Ethiopia, and make human rights central to U.S. relations with the Government of Ethiopia and Ethiopian civil society.
- Instruct the Acting U.S. Ambassador to Ethiopia to take actions necessary to successfully press the Government of Ethiopia to release all prisoners of conscience immediately and unconditionally, including the above named prisoners of conscience.
- Actively monitor all political trials in Addis Ababa and other places in Ethiopia, demand that they fulfill international standards for fair trials, and actively monitor the treatment of prisoners of conscience and all political detainees.
- Continue to press the Government of Ethiopia to do everything in its power to avoid conflict with Eritrea to protect the human rights of all those living on the border.
- Continue to provide humanitarian assistance required to support the basic human rights of the Ethiopian people.

Mr. SMITH OF NEW JERSEY. Thank you so very, very much. Let me just begin the questioning. Ambassador Tessema said earlier today and I would direct this to Dr. Meqdes, that family members had access to prisoners. He at least conveyed the idea that it would be like it was here, where somebody who has been incarcerated for a petty crime, that there is an ease of access. Has that been true with your father? Have family members been able to meet with him? What is his treatment in jail? Has there been any kind of mistreatment?

Dr. MEQDES. There has been no specific mistreatment. What has occurred over the last couple of months and I will get blurry on the specifics of what has exactly happened, but the 131 prisoners and that is to the exclusion of the female prisoners, were in one building structure as far as I am aware.

Recently in the middle of the night, they were shuffled. So when that happened and they were separated into different building structures. They were not alone, they were with other prisoners. But now they are in even smaller groups within that larger group of 100 plus and I do know that one of the structures I have heard

about, there are people with open cases of tuberculosis. That is not where he is, but specifically to where he is, there are big, large, exceptionally noticeable rodents that they have to contend with that younger male prisoners have to help them out with. And the description I have heard is that it is really staggering.

The other thing is that the entrance to the prison itself has been moved to the back of the property. What that has meant to family members is that now, unless you have an SUV, you really cannot make it up that hill. That is to avoid the conspicuous crowds on visiting days. So for people who have access to such vehicles, they might be able to drive up to the lot, after which the walkways have been plowed. For example, in my family, all of us in my generation have moved out of the country, so it is the older individuals that have to rely on other, younger people to help them up that walkway which they say is quite a walk. So it has gotten much more difficult.

Then it is crowded. You have to be able to shout loud enough to get whatever communication across. So it has gotten difficult.

Mr. SMITH OF NEW JERSEY. Dr. Meqdes, if you went back, what would happen to you?

Dr. MEQDES. I do not know. I mean, I am hearing about a U.S. citizen in custody now. But I have also heard untoward comments against me. I would not be worried. I do not know what I would accomplish. As a citizen, I do feel a little bit more comfortable than I would have if I were not.

Mr. SMITH OF NEW JERSEY. Have U.S. personnel from our Embassy visited with your father?

Dr. MEQDES. I do not think, to the best of my knowledge, anybody has. I mean, we have tried with the Red Cross. That has been impossible.

Mr. SMITH OF NEW JERSEY. They have not allowed the Red Cross in to visit with your father?

Dr. MEQDES. That is my sense. I mean, the Red Cross, the way they operate, they are not comfortable saying that is what it is, but they always assure us that they are trying and I do not have any reason not to believe that they are trying.

Mr. SMITH OF NEW JERSEY. So the Ambassador's testimony earlier, in your view, would be false?

Dr. MEQDES. Oh, absolutely.

Mr. SMITH OF NEW JERSEY. Just for the record.

Dr. MEQDES. Yes, yes. This is the only time that my father has been in trouble in this manner that I have not sought a conversation with the Embassy. It gets frustrating after awhile, but up until 2001, I have tried to communicate with them and the degree of falsity just escalates. So it is pointless.

Mr. SMITH OF NEW JERSEY. Let me just ask Mr. Tsege, you are being tried in absentia on the same crimes of treason and genocide as other opposition party leaders. What has happened with your own trial? Has that actually started and could you just elaborate a little bit on what you believe to be the false charges that are begin lodged against you?

Mr. TSEGE. I do not know exactly what has happened to the charge. Probably it is in the same category with the other leaders

and civic organization leaders and the journalists. There are some of them included in the same charge.

But there was no question that this charge is fabricated totally. The only reason, in fact, I was charged with the others was because of our belief, really, in democracy and the rule of law. One thing the independent institutions that would guard human rights forever in that country, we just wanted to take our rights from the whims of leaders that they may change as they wish and actually institutionalize them. Our crime is that, nothing else.

In fact, it is very strange. When I was imprisoned and earlier in my short statement I tried to explain, there was a serious ethnic dimension in fact with that June arrest and beating and killing. I mean, it was organized, the whole operation. The persons were from one ethnic group belonging to the ruling party.

In fact, when I was released from prison, I wanted to put that in a press statement. In fact, it is the serious leadership which is in prison now, saying it would be like adding fuel on fire by releasing those to the public. But the details are very worrisome. These people who did not want to release facts, which has something to do with a very ethnic bias of killing and beating, are now back in prison accused of genocide.

So in fact it should have been the opposite. The government during the delay in the election, as you referred earlier, they were engaged in head speech. In fact the word to the public, if CUD won the election, should be genocide. That was their statement. I did not know at the time if, in fact, they were actually preparing something like that, because the June operation had serious, serious things to it, an ethnic genocide to it. I mean, all the prisoners in Zawai, which were 4,690, because I was told from my own officer of the count, he could find no secret origin prisoner in that place.

In fact in the precinct that I was imprisoned before I was transported to Zawai, the prison officer, about 2 o'clock in the morning, he came and called all those guys with names of Tigrean origin. I mean, it was easy to do that because when they take you to prison, they enter your ethnicity in the record and that is what he used. We were transported to Zawai with construction trucks and I know all the names, the logo on the trucks, they belonged to very rich and powerful Tigrean contractors. All the drivers were Tigreans. Those who sat on the top of the truck wielding their machetes were Tigreans.

Those, in fact, were throwing obscenities at me were talking in Tigrean, because I lived in Tigres for a couple of years and I know what they were saying. Everything had that sort of ethnic dimension to it and the CUD leadership, in fact, did not want this to be public. But now, because I am accused of genocide and these great leaders of peace and democracy and tolerance are in prison, I think it is appropriate that, in fact, the world should know what the minds of those people were on discretion of power.

Mr. SMITH OF NEW JERSEY. It is interesting but Ambassador Tessema, in talking and accusing you and others of genocide, yet the record would clearly indicate that again, genocide does not necessarily mean the massive loss of life like we have seen in Rwanda or in Darfur or in the Balkans or in any of the other more well

known genocides. Although Mengistu certainly committed genocide, as well.

Ethiopia, as we all know, is a signer of the Genocide Convention. It did so in the late 1940s and the definition is, in whole or in part. When, in part, people are, because of their ethnicity are singled out as Mr. Metho said earlier, I think your point was very well taken. The Anuaks were killed because they were Anuaks, that is it, no other reason. Just picked out and killed with impunity because of that. Perhaps you might want to comment on it, as well, because again we had the Ambassador accusing others while the accusation perhaps should be more appropriate lodged against what the government has done. Certainly against the Anuaks, that would hold, as well.

Mr. METHO. Well, thank you for giving me an opportunity. When Mr. Tsege was talking, that was really going through my mind, because the word genocide is really, you know, something that lots of people do not talk about these days. Because you know that when you say that word, it will mean you have to follow with action.

But what happened in Gambella for sure, I think, maybe that is where they get this idea from. Really because he had committed these atrocities in Gambella, he is using it, like, you know, like little children. You blame the victim and this is the game these men have been playing for the last many years. And the one that thinks that, it really is absurd to hear this guy talking here today, you know, accusing these people. And I think some of the questions that you had on the panel were excellent, were great.

What happened in Gambella, I will try the very best I can until my last breath to really make sure that these guys are tried in a different court than Ethiopia. In Ethiopia, there is no jurisdiction system. There is no court in Ethiopia at all. Just like, you know, that is like the law of the jungle. Like usually some of those people who have been brought to court, for example, you know, we have been working with the African Commission and we have told them that we submit a claim. And when the claim comes back, you can respond if you can say that the Anuak were the ones who were killed. And then the government, when they give the list of those people who they say committed the killing, they were the Anuak men. Anyone name that started with O, vowel.

Again, going back to the word genocide, like what happened on that day? Men in uniform, like some people who side together with them, they went from home to home. They had their list. They were looking for some people. And again within the next 4 to 5 hours, not even one single woman died. Most of the people who died, the youngest was 17, the oldest was 52. These are the only indicated people. And again, what was the reason to that? It can go back to something which I did not mention because there was oil discovered in Gambella. Now knowing they are discovering oil in your land is like finding a tumor in your brain. The oil discovered there is an agreement between the Meles regime and the people of Gambella.

Again, people of Gambella, people, we have been denied education. I told you before there are no more than 100,000. But again, the ones who are educated, we are less than 3,000 who are edu-

cated. And yet 424 could be killed within 2 or 3 days. That means almost half of our population who are educated have been taken away. And they were taken away in such a way, intentionally, looking for the name. They go home, some of the men who were not home on that day, they left and they are now in jail today.

Today the Anuak in Ethiopia, the leadership, the structure, political structure of the Anuak has been destroyed. The Anuak now in Gambella, those who are educated are either dead, in prison or in exile. And you asked a good question, If you go to Ethiopia, what will happen? I think for me, if I go to Ethiopia, that I would be a dead man, even because I have still some family in Gambella who may pay for this. And, again, as I told you, going back, this was a decision that I did not make before. I was going to commit suicide and kill myself, because I could not live there, knowing that people who I lived with, people who made me to be who I am were taken away from me just because they are Anuak and they are educated.

So for them to charge the CUD with genocide, it is absurd and ridiculous. Meles himself should be the one to be charged with genocide of what he has done.

And again, the truth wins out. Those that were killed, again, justice has not been, but it will come. It will come slowly, it will come. And again, that is what happened. It is again what they did in Addis, killing some of the people. They say crossfire. The bullet does not go look for the right guy. And this is one of the things we are talking about, this guy says this is the government we should align with. We should be ashamed of this government. We have a bright, educated Ethiopia. Ethiopia is ready for democracy. Like if they can go out and some people stand on line for 10 hours, what are you looking for? There are political causes.

Even in Gambella today some of the people realize that highlander and lowlander, this division has been created by this guy. Has been created and this genocide, what he was thinking, he put it on the table and if CUD won then they will try to incite the killing like they did in Gambella, putting the dead bodies in front of the people who are from the same ethnic groups or who came from the islands. This is something which has to be investigated and I hope that some of you will follow this. Again, the UN has failed, even to the point that the U.S. Government, if they could ask someone to go and have an independent investigation as to what took place in Gambella. Genocide is not only one person.

Mr. SMITH OF NEW JERSEY. Let me ask you then with regards to the massacre you stated in your testimony that members of the Cabinet in Ethiopia were involved in the planning of the massacre. Could you provide that evidence?

You mentioned earlier in your oral statements that you had asked the UN Commission on Human Rights to look into this. Did that include the High Commissioner Louise Arbor, as well? Did they do anything, did they follow up?

Mr. METHO. Well, thank you for the correction. In the UN they have really never done anything. This is one of the things that I find that even with the refugees that are in Sudan today. It is with some group in churches in Minnesota and the United States and Canada that really we get, even the refugees do not have access to clean water. The children who are there, they are entitled to be a

refugee. They write with charcoal on cardboard. They are up at school there, which is there are 1,243 children. These children write with charcoal and cardboard and knowing that the UN has never done anything even for this.

This is one thing that really it is very good that I talked to Mr. Yamamoto, who left here today and if he was here, I would ask him the question. I have been inside the Parliament on many, many occasions. And what is their argument? Well, you know what, Ethiopia, we are allies on them and then we talk so hardbore that they will kick us out. You know what, even guy who marry a wife, if the wife, they do not agree, they separate. And if you separate for the truth, why not? The truth should be everything.

So like prolonging saying that we will stand with them and when we talk with them, that they will cut ties with the relationship. Then it is cut. And the U.S. taxpayer should not be going to a brutal dictator who kills his own people. The UN never did anything. I am going back to your question. And again, nobody did, despite the fact that even, and this is one of the things that even I asked Yamamoto for the U.S. Government, for example. When the killing took place, I phoned the State Department and told them there are men who are U.S. citizens, from Minnesota, from Texas, who are there. And I want somebody to go there, to just find out.

So the U.S. Marines went there. They wrote a report. Within that report they even mentioned that the killing was 1 day, the blood was still there, Rome was still burning and again, that information got out. That document is now not going to be released because it is classified.

I tried to talk to Mr. Feingold last year to work with him, Senator Feingold, to get this and it was never released. And I talked to Donald Yamamoto why he would not release it.

Second, we have the human rights watch groups who went and investigated this, 64 page report in detail. And again, nothing has been done.

Third, we had the U.S. Ambassador of Brazil go to Gambella and meet with the people, and once he came back, he called the Gambella Regional High Court the conscience of Ethiopia. It is now a region which is rich and full of untapped resources. And the only way now that Meles realizes that by going to those resources, they will be able to speed it and get progress. Who do they side with? China. China, who does not have a great human rights record. Again, today, we have Chinese and Malaysians taking over in Gambella. One Chinese have almost 50 Ethiopian Defense Force protecting them.

Now a report just came out that the Chinese are wanting to start drilling the oil before the dry season when it is the dry season and the rainy season starts in May. So going to all of these things in detail, now we know that the Anuak have been killed for the resources, because these are the educated guys who are speaking up and not wanting the oil process to go until today, on top of that. The regional government of Gambella has never been consulted. The government in Gambella right now it is a number of those guys who should be charged with genocide, not the CUD leaders.

Because the people, I knew of men who gave the names and this one guy, he is the governor of Gambella today and that is some-

thing to be ashamed of. And again, Dr. Gabria who was the Minister in the Gambella region has again been promoted. Most of the key guys who were really the mastermind behind the killing have been promoted because Meles did not any of them to speak.

And again, talking about it, there was a meeting. Right now, information is getting out. The killing took place way back. Even in October 2002 democrats elected Anuak governor with 44 of his cabinet were arrested. Until today most of them are in prison. Only 16 were released and we are talking about justice in Ethiopia. There is no rule of law. It is like the law of the jungle.

And on top of that, these guys have been arrested and then they replace another Anuak. When they disagree with that guy, when they went for the killing. In September there was now a record noted and we have evidence that there was a meeting took place. And the meeting was that they wanted the process of the oil to go ahead by any means. And by any means taking out those who are a roadblock to that. And this meeting, there was somebody who was present at that meeting and now we have this person, information got out. And again, how do you do it, to try to get those Anuak who are a roadblock to this oil construction and eliminate them and take them out?

These things just did not happen overnight and it is planned, calculated. It was done and Meles knew about it. Again, I am telling you that is the truth and God knows it. The voice of those guys who are dead, they are hearing us today. But again, Meles is saying, I hear his men here today saying that they will try Mengistu. I am sure there will be one day, too, that there will be all of that. So they are not immoral to say that they will try other people for genocide. But maybe they talk about it now, because when people talk about it, again, then they will know what that word means.

Mr. SMITH OF NEW JERSEY. Thank you. Let me just ask Ms. Fredricksson. Ambassador Tessema said no political prisoners, no use of torture in the prisons. He was very dismissive that you did not have your facts correct at Amnesty International. How do you respond to that, please?

Ms. FREDRICKSSON. Thank you, Mr. Chairman. I would respond to that by saying that not only are most of these individuals among the initial 131 political prisoners, they are prisoners of conscience. They are individuals, journalists, human rights defenders and others who have never used any violent means of presenting opposition.

We have no indication otherwise regarding these individuals. There may be individuals within them that have used violent means, but we do not have any indication of that.

In terms of the torture, we have had reports specifically that defendants in the case of Kifle Tigeneh and others, that torture in police custody and denial of medical treatment for torture injuries has been actively reported.

Mr. SMITH OF NEW JERSEY. Is that with limited access or a great deal of access?

Ms. FREDRICKSSON. Limited access to medical.

Mr. SMITH OF NEW JERSEY. No, but in terms of observers like yourself? Has Amnesty been able to get in and talk with prisoners?

Ms. FREDRICKSSON. Well, actually, thank you. This is the point I hope to leave you with today is that not only are we looking for increased political space for civil society in Ethiopia, we are looking for that for opposition. We are looking for that for civil society overall for journalists and NGO workers.

We are also looking for access, not only for IRI and NDI and IFES, which is very important, but also for human rights monitors and those monitoring crises, so that we can all go in actively and monitor the situation with the trials, with the political detainees and so on. We do what we can through others at this point in time, but we have had our access limited.

Mr. SMITH OF NEW JERSEY. Okay, let me just ask a couple of final questions. Any evidence that the United States IMET or FMF funding has been used in any way, directly or indirectly, to suppress this or to be part of the crackdown?

Ms. FREDRICKSSON. I cannot say that definitively today, but we will continue to monitor that situation.

Mr. SMITH OF NEW JERSEY. Can you look into that? Any of you who would like to speak to that?

Mr. METHO. I can make a point on that. One thing for sure, you know, we are talking about the prison and these guy deny here again. I am saying that it just upsets us to hear them talk like that.

In Gambella, for example, I am saying that it is really very isolated and this is a place that not a lot of people know about it. This is a place where I am saying that again people are really being neglected. And there are lots of atrocities that go on in that place. Meles, really one of the reasons he killed, he thought he could get away with it, the information would not get out.

Like those prisoners, the information we are getting out from those people who are prisoners in Gambella today, most of them there have been tortures. Even some of them are not allowed to receive medical treatment. Some of them in cases have died and we have this well documented. There are family members who wanted to go and see their husband before they die.

And again, out of the 424 men who were arrested, five of them died in central prison in Addis and nobody really talks about this. Now in Gambella, the Defense Force, we have lots of new Defense Force there for the Chinese. Sometimes they find an Anuak man and just beat them because they are Anuak. And there are allegations that they are even torturing some of these men in just ways that are just horrendous. But they will do it in there, then they can do it in Addis. Because in Addis, it is more exposed. But in this place, it is just isolated and bush and they can get away with it.

Just one other thing, if we have the team to go, is to go to those rural areas and go to the rural areas to get this information. Again, as I am saying, with this technology, we have people on the ground which we get information from them, you know, every day. Every day we find them and get information details of what is going on. With these now, we even have access to people who have cameras and we have some footage which is showing Defense troops.

Mr. SMITH OF NEW JERSEY. Would all of you support or oppose or be neutral on our request to have Manfred Nowak, the U.S. Special Rapporteur on Torture, visit Ethiopia?

Dr. MEQDES. Absolutely.

Mr. METHO. Absolutely, yes, without question.

Mr. SMITH OF NEW JERSEY. Yes, sir?

Mr. TSEGE. The use of military training used against the supporters of democracy. I mean, one thing for sure I know now, whether it is you or the British that have supplied the technology to listen to telephone calls, mobiles. Now I know every conversation we have from here has been heard by the government security forces. And the people who were talking to me the past few months have been told for what they have been talking to me and they have been warned if they continue talking to me, they will be shot and their body will be thrown into the street as in the old days of the army. So this is one thing.

The other thing is we have, we know that all the sharpshooters, snipers, whether you were involved or not in the training of them, but they have the ones which were deployed in the June 7 killing. In fact, it was very effective, their training, because what they wanted was not really to maim or just to disperse. They were actually shooting to kill so that other pro-democracy supporters would learn a lesson. This is what the army in power before EPRDF did. It is a measure to scare and to cow you down so that you cannot resist. These are the sort of things they have been using probably your funds.

Mr. SMITH OF NEW JERSEY. Well, this Subcommittee will follow up. I asked Deputy Assistant Yamamoto earlier if he would provide information about who it is that we have trained and what it is that we have trained them in. You know, the who, what, where, when and why of that entire question, because during the previous administration and I was absolutely stymied as Chairman of this Committee in trying to discover what kind of training we provided under the Zaharta Regime and Kopasis, as I mentioned earlier, was their so-called elite. We knew that they were putting that little red dot on, which was obviously the ability to shoot to kill on people's heads, right before they blew their brains out. And we provided urban guerilla warfare training to Kopasis.

And when I got lists of people back from the Department of Defense, they were redacted as to who it is that we had trained. I found that very, very disconcerting and I would hope that we have not wittingly or unwittingly trained any of those who may have killed those who poured into the streets to protest this most recent election.

So it is something we need to follow up on both in the past and to find out if any of this is occurring now.

Mr. METHO. And one point I can make on top of that.

Mr. SMITH OF NEW JERSEY. Okay, maybe the doctor and then we will come right to you.

Mr. PAYNE. Yes, because we are going to have a vote in about 20 minutes.

Mr. METHO. One point I wanted to make on top of that is even on that point you wanted to get from, it is good to ask Yamamoto. I was told that the reason they did not want to release the report which was written by the United States Marines who went to Gambella was because they found a grenade and on that grenade it said "U.S. Made." And one of the reasons it would stay classified

that those kinds of things would come out that it was U.S. guns that had been used and the U.S. citizens would talk about it.

Again, the Humvees now that are used in the Gambella and rural regions are brand new. Those Humvee vehicles, you know, are supplied by the United States.

Mr. SMITH OF NEW JERSEY. I do have more questions which I will submit, but I will go to Mr. Payne.

Mr. PAYNE. Thank you very much. The only reason I said it is because we are going to have a bell ring in about 15 minutes and I did want to ask some questions of mine. With Amnesty International, do you have any people now at all or are they totally restricting your office or what kind of activity do you have?

Ms. FREDRICKSSON. Without revealing too many details in a public forum, as you know, it is a sensitive situation, we have had our access significantly restricted. We have been able to follow the trials well. However, we would very strongly request that we have open access to monitor the situation of detainees and the trials.

Mr. PAYNE. Let me see on one of our questions we, as you know, Ms. Mesfin, I met your father about 10 years ago initially and then he was active then met again, I think, about 2 years ago when, as a matter of fact, when I was meeting with him, the electricity was interrupted for some reason. They were, I guess, trying to send a message that he should not be meeting with me. Then I know that he was arrested.

When did they really start to zero in on him and what happened? I know that he was arrested, he was released, he was rearrested and then after the recent issue could you just tell me a little bit about that again?

Dr. MEQDES. Well, the first time he was arrested and actually brought straight to court was in the early 90s. I want to say in 1992. I do not think there were any charges. He was released on bail. That went on for every little thing and not necessarily any specific thing for a few years, until in 1996 he was also brought to court, released on bail, charged with violation of, I believe, four articles of the then new press law.

Those charges were mysteriously dropped and like I said earlier, I have maintained communication with the Embassy every time the situation has ever arisen. I found out from the Embassy that those charges were to be dropped the subsequent week before the trial started, before my father even found out. I was the one who called him and let him know that the charges were going to be dropped.

Then, of course, in 2001 he was arrested along with Berhan Nega. They were released on bail. The charges have been rewritten about three times so far and from what I hear and not necessarily from him, those witnesses that they had prepared, under duress, I am sure, are no longer in the country. But what has been happening is that they have these sequential dates for them to appear in court. And it is interesting how after he was arrested on November 1, there has been another date that they were due to appear in court and nobody talked about it.

So I am sure that episode will just fizzle out and now we have a new one in process. He was here in July, early July. He was here on tour, became sick and just did not want to go on with the mis-

sion that he came to the United States for. Decided to cut his trip short, take it easy because he was in too much pain. He went home and he found that his own mobility was somewhat limited because of pain and had stayed home from the end of July until about November. Attended a couple of meetings, really a couple of meetings for that duration with help. He never left the house alone.

So the day they came to arrest him, I do know that Ms. Busurkan Medeksa, who used to be a judge, was the deputy chair of the CUD and another member, were at his home visiting him. So all three of them were taken from the house together.

Mr. PAYNE. I know it is a practice in many African countries and I know in Ethiopia, too, in prison when we went to visit, who was our friend, Mr. Desi, the practice in many countries and even in Ethiopia, is the prisoners must be brought food from outside, from relatives. Do you have a way to ensure that your father, someone is able to bring him food?

Dr. MEQDES. My father, just for the record, had been on a hunger strike for about 45 days initially. And then eventually he went on a fast in solidarity with other prisoners who were not accounted for more recently. Currently it is Lent and Ethiopian Orthodox Church followers do not eat any animal products during Lent. I would just say that because of logistics and proximity from most people's homes, food is brought to them at this point only once a week, but they take turns. So my family would take food once a week for a group of prisoners so that somebody else's family would deliver the rest of the week.

But they are specifically asking for meat because they have retained a cat to handle the rodent problem. and if I may say so, talking about treatment, there is something that I am not comfortable sharing in a public space, too. I just heard about it and if I could just submit that eventually, I would appreciate that.

Mr. PAYNE. Sure, that would be fine.

Dr. MEQDES. My other problem is access to courts. Prisoners on the dates that they appear to court, family members are issued these passes to enter the courts that have become really egregiously cumbersome to obtain. I do know that the last time they appeared in court, they could have retained the passes, but the officials have taken them back. So they are going to be issued again once the trial begins. Thank you.

Mr. PAYNE. Thank you very much. Well, our time is going to expire in about 10 minutes. We are going to be called to a vote. Let me just say it is good to see you again, Mr. Metho. If you were listening in my original statement, I mentioned that outside of Addis and I went on to talk about two areas, the Somalia area and Oromo that there were problems. But I said that throughout Ethiopia there were problems. As you know, there are 80 ethnic groups in Ethiopia and I did find time when you came several years ago to meet with me. Although I am sure that most members may send their staff to meet with you, I squeezed in the time to meet with you. It is good to see you again.

So I take no exception to the fact that you characterized the meeting with me and absolutely nothing happened. Let me tell you what happened, for your information. When I went back to Ethiopia, I spoke specifically to the prime minister about the problem

in that area. Now I have a hard time finding where you are, so, you know, I am sorry that you did not know that I followed up. But I am not thin skinned and it is not irregular that we do hear absolute statements made.

Now Gambella is an area that we are very concerned about. There are many issues and we could have spent—the Oromo people are even excluded from elections. We could have talked about the Felashes. I mean, if we want to talk about ethnic groups, as a matter of fact, I think it is very privileged that you are really the only person that is talking about a specific ethnicity. We could have this room full about people who could tell stories about how they have been persecuted by the government because of their ethnicity.

So I just wanted to point out that we have followed up about Gambella. We have talked to and followed up with the government of Ethiopia about that. I did take the time, not knowing you, but trying to listen to all of the problems of people from the 50 sub-Saharan African countries which must have 40 or 50 ethnic groups. So I am sorry that you felt that your time was wasted when you met with me, but let me let you know that we did take that concern back and that we did deal with it.

I mean, the poor Felashes, Jewish people who have been in Ethiopia for centuries, as a matter of fact, all had to practically leave under Mengistu. They not only had to leave but they had to pay to leave, even though they were being persecuted by the government. We could have spent an awful lot of time because I followed the Felashes issue back in the 70s when I first went to Ethiopia.

So I just wanted to bring that point out that we are concerned about many of the issues and many of the ethnic groups in Ethiopia and that we are fighting to be sure that all of them are relieved of any kind of intimidation and exploitation.

The question of the problems on the Horn, once again we have a difficult area. I wonder maybe Amnesty, does your office cover a Somalia? We talk about our policy, you know, and sometimes we question. We certainly have to watch China, but I just read where we just bought computers for State Department from China, where they are actually making the technology. I get a little concerned about China, too. But any time we get concerned with China, as a matter of fact, they are going to build the Boeing airplane, the tails now. They said they did not want to buy Boeings from America if they cannot have a piece of the manufacturing.

So I would hope sometime that we could really get our State Department to come in and just have a hearing on China, because they are everywhere. I think we have to be careful about China. We have to watch China. However, when it comes to business, they love China. America is making China the most powerful country in the world.

Then we turn around and we get concerned about China's prowess and growth, so it is a very confusing China question. It creeps up a lot in hearings and China has the most repressive government in the world. But even in the human rights report, much of it is mentioned but a lot of it is even looked the other way, you know. Red carpet treatments come out, even after Tienamen Square. The Clinton Administration had some of the butchers out at the White House. This administration just fattens them up with business.

So I think at some point, I hope the International Relations Committee can decide where we stand with them. But I just wanted to, Mr. Metho, let you know that it was a very strong issue that we did raise. If you would like to come back again, I would be glad to meet with you again. Like I said, I do not know where you are, but I am still upstairs where you met with me when you came and it is good to see you again.

Mr. METHO. Thank you.

Mr. PAYNE. I yield back. We are getting ready to have a vote, so thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Thank you very much. Let me just conclude with, first of all, without objection, I would ask that statements by the Oromo Liberation Front and the Ethiopian American Federation be made a part of the record.

Let me ask one final question and anything you want to add as we conclude. We recently held a lengthy hearing on the whole problem of the Internet. You mentioned earlier, Mr. Tsege, about the phone call and the fact that people can be listened to, very, very unfortunately and intrusively, by the government. And technology that certainly comes from the United States enables that.

Well, the thrust of that hearing was to focus on the fact that Yahoo, Cisco, Microsoft and Google and others are very substantially enabling secret police to monitor, capture, incarcerate and regrettably torture dissidents in countries all over the world. That includes Ethiopia, China, Belarus, and Vietnam, who were certainly the ones we were most focused on. We do know beyond any reasonable doubt that Ethiopia falls into that category as well and we are now trying to document even further how the Meles Regime may be using that to establish a dragnet.

I am wondering if any of you might be able to shed some light on that for us. Please, Mr. Tsege?

Mr. TSEGE. Well, nowadays, people naturally use the Internet to send messages to them. So even though I do not have the facts, those people who warn us must know something. I was told that what you said actually is possible in Ethiopia. So there is no reason that a government like Meles would not use it when it is available to it.

But more than that, the government is threatening to shut down the whole Internet, just because that has been the only outlet where the voice of Ethiopians is being heard all over the world. Messages have been passed between individuals or groups. I mean, they did, in fact, as you probably recall, ban or stop the mobile text service just after the election, because people were actually using it to pass messages on the election, asking people to vote, asking people to support one party.

So, I mean, it looks like now the way things are going, they would even shut the Internet down and send Ethiopia back to the Dark Ages. But at the same time, before you leave, there is something phenomenal I want to mention here. You talked a lot about funding, a lot of findings and most of the time I listened to you and you seemed to put your faith in investing in training army and training the generals.

Mr. SMITH OF NEW JERSEY. Not the army, believe me.

Mr. TSEGE. But what I am trying to say is this. The problem in Ethiopia is not a matter of really training professionals. I mean, they could help, but if the government does not have the will to let these professionals operate according to the training they were given, then all the investment of good American dollars is going to be wasted. I mean, we are stuck there, you see. The process of democratization is not a problem of the Ethiopian people because as my friend has said, they are ready for it. They showed it.

In fact, the stance between the expression of the Ethiopian people for democracy is not the fact that we are a beginning democracy. It is the regime of Meles who is backward in fact in its outlook and in understanding the fact of power and the use of democracy to change societies. Meles belongs, in fact, to the old Stalinist school. He does not believe in all the liberal values you people try to defend all over the world.

So the issue should be, how are you going to come halfway and meet the opposition parties without using the opposition movement and the people behind them probably could change them. You could force him. But as it is, through training or using diplomatic means and giving condemnations now and then, whatever human rights abuse are serious enough, but it is not going to change the situation.

So I believe the only way out of the current impasse in Ethiopia is to demand unconditional and immediate release of the opposition party leaders, CUD leaders, and use them and the people behind them to force the ruling party to come to the negotiation table and fill those independent institutions.

Earlier I heard the Ambassador talking about employing experts from all over the world even trying to advise the government. I was with the government 14 years ago. I advised them. I advised them of the need for independent judiciary, the need for independent media, the need for trade unions and organizations to organize freely. I even argued on the premise that this will be the only way we can survive. But these people were stuck in Stalinism and they are stuck in it. They will not change. So what are you going to do?

I believe we need a heavy stick to wave above their head, otherwise it will not work, is what I would say.

Mr. METHO. One point I would make on that, because I know time is running out, in terms of the Internet in Gambella, we have no really evidence. But most of the people that we get information from told us not to use the Internet at all. That was 2 months ago.

But another thing is I am not really surprised that even some of the people that we talked to, they are now really from one place to a different place tomorrow, because they do not want to be, you know, their phone has been tapped. We have a case of four guys were walking and they were arrested and I can suspect that their phone has been tapped.

Another thing which has happened is again going back to Gambella being an isolated area, they did finally make cell phones available in Gambella. That was 5 or 4 months ago. And until today, they made it very, very difficult for the Anuak. For the Anuak, you have to be on the list for almost 6 weeks, you know, to screen your name to be able to go to get a cell phone.

So I think that the government is trying the very best they can to use the Internet and any other technology means to really prohibit people. But again, knowing that, I agree with him, saying that, you know, these guys are not really people who are ready for reform. But how do you bring reform? Again, if these political prisoners are released right away, including all of those people in the rural areas. These are the people who could really work with the government.

The government, I do not know if they want me, but those are a group who would be able to open a window of opportunity. Because if we really give the Ethiopians an opportunity and a chance to really try the democratic process, I am sure that they could do it and they are ready for it and I think they could do it.

Mr. SMITH OF NEW JERSEY. Thank you. Let me just conclude by saying next week we hope to mark up H.R. 4423, which we will be renaming and we will be making some other changes in the legislation, I think positive changes. But one of them will be to rename it the Ethiopian Freedom Human Rights and Democracy Act of 2006.

When we originally introduced it last November it was the Ethiopian Consolidation Act of 2005, so just a name change plus some very valuable insights gleaned from this hearing, working with Mr. Payne and with the Minority and other Members of the Majority, we will come up with some additional amendments so we have a stronger and more potent bill that really reflects what we need to do.

Thank you so much. The hearing is adjourned.

[Whereupon, at 6:35 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE BETTY MCCOLLUM, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MINNESOTA

Mr. Chairman, this is an important hearing and I appreciate your willingness to examine the current situation in Ethiopia.

I am very proud to represent many Ethiopian Americans and Oromo Americans in my Minnesota district. They have met with my office frequently expressing grave concerns regarding the political repression and chronic human rights abuses occurring in Ethiopia under the current regime.

Let me state for the record, I strongly support the people of Ethiopia and will continue to stand with them in their very challenging efforts to overcome extreme poverty, a deadly absence of any healthcare, and of course years of chronic food insecurity.

I also stand with them in their effort to have their voices heard in a free and democratic society.

Unfortunately, the current leadership's political repression, massacres and extreme human rights abuses clearly demonstrate a government that is not on the path to democracy, but committed to retaining power at any cost. Mostly free elections accompanied with massacres of pro-democracy demonstrators cast a dark shadow on the prospects for freedom and democracy.

I believe the American people reject the notion that a regime that massacres innocent citizens can be called a friend and partner of the United States.

Ethiopia should be held to the same standard as any nation that is a friend of the U.S.—a standard in which freedom, justice and accountability are values we judge our friends by and state-sponsored massacres, torture and massive detentions are condemned.

I know the Chairman has introduced legislation, HR 4423, that may be marked up in the near future. Mr. Chairman, like you, I want human rights defended, democracy promoted and freedom—political freedom and freedom from hunger, disease and misery—extended for all Ethiopians.

In its present form, your bill does not place the government on a path to achieve these goals, therefore I cannot support it. I would like to work with you and all of our colleagues on this subcommittee to strengthen your bill to ensure that the U.S. supports freedom and true democracy for the Ethiopian people and not an extension of the status quo that has proven deadly and repressive to far too many people.

STATEMENT OF MESFIN MEKONEN, ON BEHALF OF THE ETHIOPIAN-AMERICAN
COUNCIL AND THE ETHIOPIAN NATIONAL CONGRESS

The Ethiopian-American Council and the Ethiopian National Congress respectfully submit the following testimony for the aptly titled hearing on "Ethiopia's Troubled Internal Situation."

Ethiopians realize that the fate of their country rests in the hands of the Ethiopian people, but they also believe that the United States of America can help a great deal, and can serve as an inspiration in Ethiopia's quest for human rights, democracy, and prosperity.

The nature and source of Ethiopia's troubled situation are not mysterious. Members of the U.S. Congress and State Department have documented both. As Rep. Dana Rohrabacher (R-CA) said on the floor of the House of Representatives recently regarding the Ethiopian government: "No pragmatic strategy can justify the United States backing a regime that stole the last election and has brutalized their own

people and will, at some point, disintegrate from its own corruption and incompetent ways.”

H.R. 4423, The Ethiopia Consolidation Act, sponsored by Rep. Christopher Smith (R-NJ), states: “The Government of the Federal Democratic Republic of Ethiopia continues to violate the internationally-established rights of its citizens, including unlawful killings by security forces (including the June 2005 shootings by government security forces of more than 40 election demonstrators), arbitrary or politically-motivated arrests, long detentions without charge or trial and beatings and torture.”

The State Department’s recent report on human rights practices in Ethiopia also paints a grim, but accurate picture of the Ethiopian government’s disregard for the basic tenets of civilized governance. The European Union, Amnesty International, Human Rights Watch and the Committee to Protect Journalists have all issued reports that condemn the Ethiopian government.¹

As is documented in these reports, the Ethiopian ruling party has corrupted the democratic process, and has killed and jailed innocent men, women and children who are guilty of nothing more heinous than peacefully expressing their desire for democracy. Not only did the regime subvert the recent elections by creating a climate of fear and intimidation, including a virtual media blackout of opposition candidates, it also blatantly falsified the results. It then made a further mockery of the democratic process. In apparent deference to international opinion, a small proportion of the opposition candidates who actually won their races were declared winners, but before they could take office the parliamentary rules were changed.

Under the new rules the opposition is permitted to do nothing more than serve the governing regime by providing the appearance of democracy. In fact, the opposition is not permitted to even debate issues. The U.S. State Department has insisted that those elected should take their seats in Parliament. Ethiopians are not, however, willing to settle for an imaginary, or third class, democracy. Many members of the opposition have refused to participate in Parliament under these rules.

Unfortunately, the American government’s statements about the troubled situation in Ethiopia sometimes seem to suggest that Ethiopians should be content with the mere appearance of democracy. There appears to be a double standard. While regimes in Europe that are far less brutal than Ethiopia’s are pressured to adhere to high standards, Ethiopia’s leaders are rarely called to account. When the Ukrainian government stole elections, the U.S. immediately insisted that new elections be quickly organized. Recently, the State Department has been outspoken in its denunciation of the government of Belarus. These actions stand in strong contrast to the State Department’s statements on Ethiopia, which seem to be carefully calibrated to cast equal blame on the ruling party and the opposition.

It is wrong to suggest a moral equivalence between the government, which has used violence to suppress legitimate political expression, and the opposition. Similarly, it is ridiculous to suggest that the Ethiopian judiciary is independent or fair. Judges are appointed by and under the control of the ruling party. To suggest that members of the opposition who have been arrested and charged with crimes such as treason should be tried by Ethiopian courts is absurd. Yet this is precisely what the U.S. State Department has endorsed in public statements of American policy.

The Ethiopian government’s crimes against its own people are far more serious than those of some other governments that the U.S. has strenuously denounced. Tens of thousands of Ethiopians are imprisoned in barbaric conditions. Western press reports estimate that 40,000 Ethiopians are being held in concentration camps around the country.

The admiration that Ethiopians feel for the ideals that President Bush and Secretary Rice have expressed about democracy and human rights are tempered by bitter disappointment over the lack of attention to their country’s plight. Although Ethiopia is not an important commercial or military ally of the United States, its people strive for and deserve the same kinds of basic rights that America has worked to help people in other, more prominent, countries obtain. By helping Ethiopia, America could demonstrate the seriousness of its commitment to freedom.

Rather than treat it with respect, the United States should work for international condemnation of the Ethiopian ruling party and of its members who have committed atrocities. In the longer term, American investments in building civil society in Ethiopia, in democratic institutions, will pay huge dividends.

In the past, the United States has generously come to the assistance of Ethiopia during famine and other times of great need. This assistance has been both greatly

¹ http://www.cpi.org/regions_06/africa_06/africa_06.html#ethiopia; <http://www.et-eueom.org/>; <http://www.amnestyusa.org/countries/ethiopia/news.do>; <http://www.state.gov/g/drl/rls/hrrpt/2005/61569.htm>

appreciated and a source of shame for Ethiopians who know that the lives of their countrymen should not depend on charity from the international community. Ethiopians and its friends abroad should not be satisfied with dictatorial government, massive poverty, disease and corruption. To prevent the famines and starvation that America has helped alleviate so many times in the past, the U.S. should press for reversals of the autocratic, communist-style policies that keep Ethiopia poor.

U.S. assistance to Ethiopia should be firmly focused not only on short-term needs, but much more importantly in pushing the Ethiopian regime to take steps that will unleash the creativity and talent of the people. Ethiopians living in the United States and around the world have shown that they can succeed in a free environment. They have also forged close ties between their homeland and the United States, ties that can make Ethiopia a force for stability in Africa and an ally in the war on terrorism. Poverty, hopelessness, instability and despotism fertilize terror, so the steps that will help develop Ethiopia will also make it a more reliable American ally.

In its 14 years in power, the ruling party's accomplishments include: famine and starvation; communist-style economic policies including state ownership of agricultural land; a ruinous, senseless war that killed over 70,000 people and cost untold amounts of money; a dysfunctional educational system that robs Ethiopian young people of opportunities for productive lives; and untreated epidemics of HIV/AIDS, malaria and other diseases; and ethnic policies, which for the first time in Ethiopian history pit one ethnic group against another, create the conditions that can breed terrorism.

STATEMENT OF THE OROMO LIBERATION FRONT DELEGATION

Chairman Smith,

Members of the House of Representatives Subcommittee on Africa, Global Human Rights and International Operations.

Ladies and gentlemen,

On behalf of the leadership of the Oromo Liberation Front, we wholeheartedly thank you for giving us this opportunity to once again share with you the plight of the Oromo people in Ethiopia and the position of the Oromo Liberation Front on the current political and humanitarian crisis in the country. We are profoundly grateful for the concern this Subcommittee and the American people are showing about the dire situation in Ethiopia.

During the last 9 months, the situation in our country has been degenerating at very accelerating and dramatic pace to full scale political and humanitarian crisis. We have been aware, since 1992, of the TPLF's scheme to hoodwink the Ethiopian people and the world into believing that it is effecting a transition to a democratic order while in actuality attempting to lay the foundations for an authoritarian structure. Fortunately, today, for our people, the eyes of the world are no longer blind to this scheme.

With gratitude, we note that the international observers who had convened in Ethiopia last May to bear witness to what they and we had hoped would be a precedent-setting experiment in democratization have testified with near unanimity that the electoral process was deeply flawed. The Ethiopian peoples and the international community have registered their dismay with the systematic fraud perpetrated by the TPLF and its surrogates to derail the democratization process and fortify ethnic stratification in the land.

Mr. Chairman,

Without going into laborious detail into the complex history of the Ethiopian polity leading up to and bearing upon the current state of affairs, we will try to highlight some of the problems that have led to the present crisis and sketch for you some preliminary propositions for a just remedy.

Subsequent to the downfall of the Mengistu's communist regime in 1991, the Ethiopian experiment in democracy was launched on a very promising note. It was Africa's most ambitious experiment to effect a transition from autocracy and ethnic domination to democracy and national self-determination. Many of our friends the world over had hoped that the proper atmosphere had been created to give war-torn and famine-ravaged Ethiopia respite for a change, none more so than the United States whose Department of State had lent its good offices to help effect a peaceful transition. We in the Oromo Liberation Front also hoped so.

Unfortunately, Ethiopia has a tragic habit of missing the political reform train at every opportune juncture. No sooner had the skeletal framework of a government been set up than the TPLF started to concentrate power in the hands of its own loyal cadres.

Arrests without warrants of innocent civilians by virtue of their past associations with or support for the OLF and unlawful detentions and selective assassinations, not to speak of intimidation, continue to be rampant and worsening. As in all similar circumstances, such atrocities perpetrated by the state have deepened further popular resistance and set in motion a vicious cycle within will undoubtedly intensify in time of animosity between an increasingly isolated state on the one hand and the citizenry on the other.

Whatever the TPLF/EPRDF's propaganda machinery might be saying, the truth is that the general unease in the country is higher than ever before since the regime came to power 15 years ago, and there is no question that if the current trends continue, the country will witness an irreversible slide into a multiple-front civil war that will be broader in scope than any of the wars that it has witnessed so far.

Today, there is truly unprecedented political turmoil and humanitarian crisis in the Oromia region of Ethiopia. For over four months now there has been a continued demonstrations and strikes particularly by students all over Oromia state and fast spreading to other regions. During these months, thousands of our citizens have been detained including school children, disappeared, and several killed by Mr. Zenawi's special security force. All the atrocities are hidden from the world view as free presses are banned and journalists thrown into jail. This crisis that is fast engulfing Ethiopia truly threatens the security of the people in Ethiopia and that of the region.

Mr. Chairman,

Sometimes history unfolds of its own volition, and, no matter how wronged and abused our people have been resisting ethnic domination, and still strive not to return to the status-quo ante. To rectify the errors of the past that have locked the peoples of Ethiopia in the vicious cycle of mutual distrust and fratricidal wars, to guarantee the inalienable rights of people individually and in national groups, to put behind us once and for all the unfortunate past of ethnic stratification and move toward a new and just order that celebrates rather than gags cultural diversity.

We genuinely envisaged that the process that started in 1991 will restore the rights of Ethiopia's many abused nationalities to exercise their rights of self-determination. We even entertained the hope that ours might become something of a precedent-setting model for other multinational countries in Africa. However, the government institution became where the Tigrean ethnic group exercise government authority and impose on the peoples of Ethiopia the hegemony of a single group. In light of these, the legality of the TPLF/EPRDF regime has come under a serious question and its political and moral authority to govern Ethiopia has immeasurably diminished.

This is being manifested by the peoples uprising all over the country and vote denial during the last election.

Mr. Chairman,

Democracy is not apolitical agenda; it is an historic agenda. There is no question that irreversible march to democracy has started in Ethiopia. No might on earth can stop this, and fortunately for those of us who rejoice at its advent, the mighty of the earth at this epoch in history are spearheading the march with your great country at the very forefront. If a truly democratic, fair and just alternative can be engineered to sidestep the costly wars and instability with which our people are only too well-acquainted our commitment to the path of peace is unswerving. The truce is that it is never too late for peace.

The United States of America has important strategic interests on the volatile Horn of Africa region—consolidating democracy, fighting poverty, combating terrorism and promoting regional peace and stability. To achieve these policy objectives, it will be prudent and less expensive to adopt preventive rather than crisis diplomacy.

We recognize that while the chief burden lies with the peoples in Ethiopia and political groups such as the OLF to create a viable alternative force and to create a favorable situation on the ground, the international community and in particular the USA has the responsibility and the leverage to avert a disaster from unfolding and paving the way for a better future for all the peoples of the Horn. At the moment, when many Western countries and organizations warn the Ethiopia government with cutting aid if the gross human rights violations that exist do not stop and democratization processes does not continue, the USA government's stand is not clear to many of us. In fact, it is the USA supplied military materiel, including humvee vehicles that the regime is using to suppress the people demanding for their legitimate rights.

Even though Oromos make up a majority (35 million out the 74 million) of the population and the Ethiopian economy to a large extent dependent on Oromo resources, they still hold a marginal status in Ethiopia. The desire of the majority

Oromo is to regain its rights. The desire of the minority based regime is to maintain this untenable status quo that has been a great obstacle for democratization in Ethiopia and a simmering source of conflict. Unless the Oromo question is addressed genuinely and justly, there can neither be peace nor stability in Ethiopia and the region.

For Ethiopia to be free, democratic, peaceful and stable so as to project a democratizing and stabilizing role on the region, it has to bring peace to its house by addressing Oromo grievances and meeting their national aspirations. To the extent that this is not the case, sustainable peace in the region will continue to be very elusive.

Ethiopia is at the center of the problem and solution for the region. The conflict in the Horn is interconnected. It needs a comprehensive regional solution. The first step is to come up with a mechanism that balances the power and undue influence of the minority in Ethiopia. One of such measures is to empower the Oromo so that they could play a role commensurate with their size and resources in stabilizing and moderating in Ethiopia.

The political process in Ethiopia has serious structural deficits, one of which is the exclusion of major political forces such as OLF and the blurring of the line between the government and the ruling party in local government. By excluding such major political forces as OLF, the outcome of any election in Ethiopia could not be deemed free and fair. OLF has made several attempts at peacemaking but none are reciprocated to by the regime. We believe it takes the weight of the US and its allies to kick-start a peaceful political transformation process in Ethiopia and ensure that such a process will be fruitful. The international community needs to exert real pressure on the regime to enter into a meaningful dialogue with OLF.

The international community and the USA in particular can do a great deal to set things on the right in Ethiopia. As one of its African initiatives, US can take steps to remedy the perennial democratic deficit in Ethiopia and ensure transparency in governance and enjoyment of basic liberty by all the peoples. Uncritical economic and political assistance to Meles Zenawi will not benefit the people of Oromia or Ethiopia and it will not help the cause of democracy and security. The fact that the USA government continues to support the Ethiopian regime, when the rest of donor countries are withholding or threatening to withhold aid under the present undemocratic situation, is worrisome.

Mr. Chairman,

In the interests of peace, and, in the hope of launching yet another peaceful attempt to resolve the chronic political problem in Ethiopia, we humbly beseech you to lend your great weight to:

- 1) Support our call for the convening of an inclusive All Party Conference. We envision that such a conference can be entrusted with tasks of:
 - a) The setting up of a genuine, more carefully crafted, more inclusive transitional government;
 - b) Establish an independent, impartial and competent election administrative body for conducting a free and fair such elections, and,
 - c) Discuss and agree upon defense and security matters for the transitional period and beyond;
- 2) In light of the EPRDF's obvious inadequate stewardship of aid lent to the Ethiopian people apparent in such relief monies and disproportionately high disbarments to its home principality of Tigray:
 - a) Monitor both bilateral and multilateral economic assistance closely to ensure that they enhance rather than hinder the democratic praxis, and
 - b) Channel humanitarian assistance through completely neutral non-governmental organizations.
- 3) In light of the TPLF/EPRDF's total control over the mass media, help promote a responsible and free press;

In short, help in the sketching of a blue print for a stage-by-stage democratization of both the political and economic orders, and, based upon this, set a new, more realistic, more inclusive, and more well-founded transition.

The United States, with its might, prestige and influence, and with the special role assigned to it by history in relation to the current unfolding in Ethiopia, is in an unquestionably pivotal position that none other can occupy to influence the course of events in our land. The Oromo, of all peoples, are fully committed to the democratic alternative as we have nothing to lose and much to gain from its institutionalization, if for no other reason than our numbers. If the commitment of the United States to help build a democratic order in Ethiopia is a true one, we entreat

you to exercise your great political economic leverage to help build a democratic order in Ethiopia that you so urged us to start and to help rectify its apparent derailment. To this end, the OLF is willing and able to cooperate with you and with all forces in Ethiopia as we have already demonstrated on several occasions in the past.

It is our hope and trust that the United States will endorse our position.
Again, thank you for your concern.

STATEMENT OF MR. ANDARGACHEW TSEGE, MEMBER, CENTRAL COUNCIL, COALITION
FOR UNITY AND DEMOCRACY PARTY, SUBMITTED FOR THE RECORD

Early days: 1972–1979 personal background

In 1972 I joined Haile Selassie the 1st Addis Ababa University. It was at this time that I became acquainted to most of the dominant individuals within TPLF (Tigray Peoples Liberation Front), including the current PM of Ethiopia, Meles Zenawi.

Both of us, myself and Meles Zenawi were enrolled at the Arat Kilo science campus as freshmen students in the physical sciences department.

In 1973 I left Arat Kilo campus and went to the neighbouring campus to study Engineering.

In 1974 the time of upheaval and revolution in Ethiopia we went into our divergent ways. The university was closed by the Military Junta that came to power. In 1976 when the University was reopened I withdrew from the University to work full time within the multi-ethnic resistance movement against the military dictators in Addis Ababa. Mr. Zenawi went to his birth place Tigray to join an ethnic based organization, the TPLF, an organization that had a professed aim of Liberating Tigray from Ethiopian colonialism and establish the republic of Tigray.

Within a couple of years the military dictators crashed all resistance in the city. I lost close family members, including a younger brother who was just sixteen and almost all my friends that I grew up and went to school with. Another of my younger brother at age of 16 ended up in Dergue's prison, sentenced five years. Another one fled to Djibouti. In just three years the familiar world that I new disappeared. In 1977, wanted by the military government I had to leave the city of Addis Ababa and flee to the northern part of Ethiopia, to Tigray, to join the armed wing of the party that I was a member, EPRP (Ethiopian People Revolutionary Party). Unfortunately I was unable to join the rebel group that I wanted. Upon my arrival what I found in Tigray was only the TPLF. After a brief but bitter fighting against Mr. Melese's group EPRA was forced out of Tigray. Once again I met Meles and other friends from my university days. Having agreed to set up another organization that can mobilize resistance in other parts of the country outside Tigray I stayed with Meles Group for more than a year and half. During my stay with Meles group, the most striking feature of their movement was that the leadership was extremely ethno-centric and arrogantly Stalinist. Those of us who remained and witnessed how Stalinism was used by both the Military government and the underground opposition parties to justify the banning of dissent, individual freedom, and sanction killings, TPLF blind adherence to this totalitarian ideology was worrying. For me Stalinism was the reason why we had lost so many bright minds of the nation's children, why the promise and of hope the 1974 revolution turned into hopelessness and despair, why we could not move from autocracy to democracy from poverty to prosperity. For the leadership of the TPLF who operated far from the cities, where the mass killings and imprisonments was taking place, where access to books written on Stalin's crimes were non existent, and where, unlike the other oppositions it had recorded victories against its rivals in Tigray (EDU,TLF, EPRP, and The DERGUE) Stalinism meant success. As a result of this misconception on the reasons for their success, in discussion with TPLF leadership, it was absolutely impossible to say anything against Stalinism. Even to this day as it had been for a long time, it is not surprising that Stalin's book ON the Opposition has remained a favorite of Meles Zenawi. In fact it is my knowledge of the attraction Stalinism had to the Ethiopian political elite, including the TPLF which made me give the title the "liberator" who has no notion of liberty." to a book I wrote and published just before the May 2005 election.

1979–1991

In 1979 when I realized the formation of another resistance group was not materializing I left Tigray and with the help of TPLF I moved to Khartoum, the Sudan. The same year I was given a refugee status by the British government and traveled to UK to join my sisters who had left Ethiopia before the fall of Emperor Haile

Selassie and could not get back to their country due to their involvement in opposing the military dictatorship that was in power.

The move to UK did not put an end to my relationship with the TPLF and its leadership. Through the organization's London office I had a continuous contact with Meles and the rest of the leadership. I have always supported one aspect of the TPLF struggle, i.e. the struggle for ethnic rights and equality. However as I went long to learn more about values of western society, western philosophy and politics my disdain to the type of totalitarian left wing ideology that the TPLF followed so religiously was something I could not tolerate. I recall some of the heated debates in the late eighties that I had with Meles Zenawi at the London office were issues concerning, democracy, individual rights, the rule of law, economic liberalism and direction of economic development. He always asked why the Ethiopian Diaspora was not supporting their struggle against the military dictators. I always pointed out to the differences the Diaspora has with the TPLF regarding the issues mentioned above. Meles always dismissed the Diasporas concern as "a laughable bourgeois indulgence".

In the middle of the 1980s TPLF came out into the open and with a rational borrowed from left wing ideology declared its intention to become the liberator of all Ethiopian oppressed people, not only Tigreans as it was set in the earlier plan. I saw TPLF's shift to break out the ethnic enclosure and its willingness to organize a multi-ethnic resistance as a positive development. Yet it still contained serious problems. The fact that the alliance TPLF wanted to form, for the joint struggle against the military dictators, was only with organizations that it had created was one problem. This effectively ruled out a genuine alliance of different political groups that represented the diverse interests of the Ethiopian people at large. The other major problem was that all organizations that were set up by TPLF and that later made up the front EPRDF were created after the image of TPLF Stalinist model. They all had their Marxist core at the centre. As TPLF had its MLLT, (Marxist Leninist League of Tigray) EPDM (The Ethiopian People Revolutionary Democratic Movement now ANDM Amhara National Democratic Movement, had EMLF (Ethiopian Marxist Leninist Force), OPDO had its OMLF (The Oromo Marxist Leninist Force) and the alliance TPLF envisaged was an alliance of those who took backward Albania run by a brutal dictator named Enver Hoxa as their model of political inspiration. The organizations that were created by the TPLF were naturally weak in all fronts. Intellectually and militarily they were made to be dependent on the TPLF. (Even after the fall of the Dergue in 1991, when some of these organizations had a chance to attract a lot of intellectuals into their ranks they were not allowed to accommodate knew and able members for the fear of contaminating the Marxist purity of their organization by letting in what TPLF called "bourgeois reactionary intellectuals" into their ranks. Thus all the various PDOs, People Democratic Organizations that had the name of the various ethnic groups in Ethiopia as their prefix were made to rely upon individuals with low level of education and political experience that left TPLF, an organization representing one of the smallest ethnic groups in Ethiopia, to have a total control on political power. At the same time organizing TPLF sponsored ethnic political organizations on the basis of what TPLF called the principle revolutionary democracy meant that they will be no room for the political involvement of the intelligentsia or the property owning class of the respective ethnic groups. The back clash for this became that the countries intellectuals who had hitherto had a tradition of organizing themselves on Ethiopia wide political movements, had to organize themselves on Ethnic basis simply to have a political presence to fight the injustices committed on their people by the new ethnically organized parties of TPLF. Apart from the Tigray ethnic group, dominated and led by one party, the remaining ethnic groups in the country were divided by two or more ethnic based organization, wasting their time and human resources in infighting amongst themselves. The division within one ethnic group between those who are for revolutionary democracy and those who see this type of democracy as legacy of the Stalinist out look of TPLF that would inevitably lead to totalitarian rule weakened the major ethnic groups, such as the Oromos and the Amharas thereby making them vulnerable to TPLF domination and manipulation. This continued for 14 years until the election of May 2005.)

At the end of the 80s and early 90s TPLF seemed to go through another metamorphosis. It appeared that all talk about communist doctrine was abandoned. A call to all independent political parties (including the OLF and Other multi ethnic organizations) to work together went out from TPLF. In the name peace and democracy Meles and his friends even proposed, provided certain preconditions were met, to work with the military junta in power. Instead of the setting up of a one party state EPRDF began to talk setting up a multi-party democracy. Of course as I had to discover later this was a tactical maneuver by EPRDF to get the blessing of the west

and to draw the Ethiopian people into a false sense of hope to weaken an anticipated resistance, thus facilitating an easy ascendance to power. Most Ethiopian in the Diaspora did not buy into the new TPLF rhetoric on political pluralism and multi-party democracy. On my part however, believing the TPLF leadership that I have a close relation will actually keep its promise, I wanted to help. I was given assurances that they were determined to build a multi party democracy and was invited to help them in their endeavor. I chose to give them the benefit of doubt and within days of EPRDF coming to power I went back to Ethiopia after 12 years of exile in the UK.

1991–1993: From a hand written letter sent to the BBC correspondent Mr. George Alagiah on May 27 1994.

I quote extensively from this letter because it shows how little has changed since I wrote this letter 12 years ago. In fact this letter shows how the current political turmoil is caused because of the failure to address almost all the issues that are currently raised in the bill HR4423. In 1994 I wrote

“From June 1991 to June 1992 I worked, more or less, in the committee that was responsible for everything in the city of Addis Ababa. The fact that I was born and brought up in Addis, the fact that my families involvement in opposing the military regime was well known and most of all the fact that I was from the Amhara ethnic origin was a bonus for EPRDF that was regarded as mainly a Tigrian organisation. I was given a high profile job of explaining the policies of the new regime. The number of large meetings I had with factory workers, government employees, teachers and residents of the city runs in hundreds. The TV and radio interviews I gave were more than the combined appearances of the president and the prime minister. The anti red terror committee is one of the committee’s I was responsible for its creation. In 1992, I was asked by EPRDF to stand as the candidate for Region 14 Council election. Region 14 is the city of Addis Ababa. I got elected in June (it was not an election in the proper sense of the word) and ultimately became the secretary general council of the region and its executive committee. I held this post until my resignation in April 1993.

The reason for my resignation was a gradual realization of the gap between the new leadership rhetoric to human and democratic principles and commitment. I had the opportunity to sit at the highest inner circle of EPRDF leadership meetings and listen to their Stalinist dreams.”

They were resenting that they where forced to do certain things because of the change in the international political situation. After taking power, in the first congress EPRDF held, I was astonished to hear that EPRDF would have liked the presence of the soviet as super power so that they can play the powers against each other thereby getting the freedom to turn Ethiopia into a socialist country modelled after Albania. On the report that was read at the congress, the leadership had the audacity to come out in the open and declare that they were smart enough and have been doing by deceiving the Americans.

“Despite the apparent gestures towards political pluralism and the creation of a democratic civil society in Ethiopia, I realised that the EPRDF was a very dangerous organization that can spurn these ideas quite easily whenever it is inconvenienced to its hold to power. I would briefly outline these dangers.

Human Rights: Today, (this means 1994 when this article was written) in Ethiopia there are wide ranges of human rights violations. These violations get worse as you move outside the capital city. When I was a secretary of The City Council, I came across a dozen of individuals who were badly tortured. I brought some of them to the council meeting and made them show their badly tortured bodies. I demanded that we should make this atrocity public by showing the tortured people on TV. Telling the public the measure we have taken against the perpetrators of this crime to encourage the public to be forthcoming in reporting similar deeds as well as give the public the confidence to resist these abuses wherever they occur. The council which is 90% EPRDF dominated refused to do this.

Leaving aside those awaiting trial for crime against humanity you find hundred of prisoners who have been put behind bars for over a year without being taken to court. I demanded an explanation why we contravene the constitutional rights of these individuals, which demand that they appear before the court in 48 hours. I was told these were mirror issues. I was referring to the constitution of region 14.

Individual EPRDF leaders have armed body guards. I have known a number of incidents where these body guards had been given instruction to detain individuals with out the knowledge of the courts or the police.

There are hundreds of EPRP members still in prison in Tigray outside the jurisdiction of the central government.

Three are hundreds of EPRDF members imprisoned by EPRDF itself. EPRDF still believes just like the old guerrilla days that it has the authority to detain and punish its members for breaking organizational rules.

In Tigray people are still being denounced and persecuted in meetings for not supporting the TPLF. Some of the denunciations remind me the Cultural Revolution days of Mao's China where Mob ruled reigned. I know a woman, a mother of two, who hanged herself because she cannot endure the humiliation she had undergone in one of these public gatherings.

In southern part of the country the cadres of various organizations are judges, police and administrators by themselves.

Finally, whenever the anti-red terror committee attempts to become independent, free from the tutelage of EPRDF its activities have been deliberately sabotaged by the EPRDF. Most of all whenever I tried to explain the need to link between those who died during the 'Red Terror', and the causes they died to demonstrate the political nature of their sacrifices the EPRDF leadership had seriously objected to my attempt. They believe by giving a political context to the deaths of the red terror victims would give credit to the EPRP. Since over 90% of those who perished in the 70s were EPRP members, EPRDF doesn't want the public to know the causes of their deaths. As a result these deaths have been made to be perceived as ordinary deaths by criminal elements. A vast mass movement that could have been a bulwark against any form of future human right abuse is stifled.

I know that the current (the 1994) human right abuses are not in any way comparable to the past. However, this very fact has already become the sources of complacency for the international community and the western media as well as for EPRDF officials not to strongly act on the human right abuses that occur through out Ethiopia at the present time. One of the favourite arguments the EPRDF has against my serious objection to the prevailing human right abuses was to tell me to remember how bad it was under the army. The same argument is deployed by the international community. I have always pointed out that our standard is not or should not be Mengistu's record. As a generation that knows very well what it means to suffer imprisonment and torture we should have our own high standards. Our standard ought to be that not a single individual should be tortured, be put behind bars with out a fair trial by the courts, and should live under the fear of persecutions. This commitment is non-existent within EPRDF leadership.

Taken into account the EPRDF's own human right abuse records in its guerrilla days and the prevailing lack of commitment the best way to tackle this problem and avoid the repeat of the past is by setting durable institutions which can safe guard human rights. Independent judiciary, free mass media, and presence of independent pressure and interest groups and so on. If you take the new judiciary in Ethiopia I know that all the judges are had picked by EPRDF. For every major decision they make, they have to wait for EPRDF's instructions. Their loyalty is not to the justice system but to EPRDF who made them achieve their post.

The Courts: I know this because a number of senior judges and including the Minister of Justice were appointed to their post with only my personal recommendations. I know that if the government creates a favourable climate for these individuals to do their job and encourages them to assert their independence they have the professional competence to do it. However, EPRDF has chosen to exploit the subservient culture that was the legacy of Mengistu's regime thus deliberately barring the way for independent decision making. All professionals in the nation still live under the fear that if they will loose their job if they show any sign of being critical. Thus opportunism and complacency is made to rule today as it had done yesterday. No serious court decision making is possible without EPRDF's consent.

The Media: As you might have heard, there is a semblance of free press in Ethiopia. This is the printed press. The highest circulation of this independent newspaper does not exceed 15,000 copies a week. Most regional administrations do not allow the circulation of these papers in their area. The most notorious of all is the Tigray region. The president of the region has publicly declared that his administration will not allow the circulation of any independent news paper in Tigray because he knows that the people of this region do not want them. Taking into account the level of illiteracy and the expensive nature of these papers I known they are not inaccessible to a vast majority of the Ethiopian population. The most effective means of mass communication is first the radio and

then the TV. Both these are controlled by the state ministry of information fully staffed by EPRDF members. My attempt to make the state run radio and TV service run by independent board was not accepted. I have witnessed the state radio and TV lying through their teeth. This has reinforced the public cynicism and mistrust towards these organs. The most powerful instrument in the fight for a just, democratic and free society has been made useless to satisfy the narrow political interest of EPRDF.

On top of the state radio and TV that EPRDF fully controls, it has its own radio station broadcasting in three different languages to the entire nation from Addis Ababa. After my resignation the only thing I thought I could do was to set up a private radio station which will play a responsible and constructive role towards building a democratic society. I knew with finance from within and outside Ethiopia it was not difficult to set up a radio station. I produced a document on the aims and objectives of the radio station the source of capital and how it would finance itself and applied for a licence. I did this in accordance to the new press law that legalised that Ethiopian citizens can set up private radio and TV stations. I was told informally that EPRDF have no intention of allowing this. The official excuse given to a group who wanted to set up private TV was that the government is studying the experiences of other countries to bring out further legislation on frequency regulations and licensing. We know that relevant government institutions have produced and presented their proposal over a year ago. It is under these conditions that EPRDF wants an election to take place. When I pointed out to the illegality of the running of EPRDF owned radio station while other groups are barred by law not to function, the reply I got was that EPRDF's case is different.

Civic society: When we come to pressure and interest groups one thing you can be sure is that EPRDF will never allow the emergence of mass based independent groups. The neighbourhood associations which you referred in your programme as the local security posts of the army in the past are now staffed by EPRDF members who do not allow dissent. Their task, as in the past, is surveillance. The fear these neighbourhood associations generate is still alive.

The new Trade union which the government claimed to be the first free and independent trade union is filled from top to bottom by EPRDF members. The undemocratic means EPRDF has deployed to achieve this goal has been made a subject of one of my articles I wrote on one of the independent news papers before I left the country. The worst thing of all is that I heard the president (That was Meles Zenawi the current PM) addressing the new trade union officials on TV by saying that they have formed a union without the interference of political organizations and the state. The control of the trade unions was accomplished by strictly clandestine activity of EPRDF members. In front of the foreign representatives, the ILO and IFLO, listening the president telling such blatant lies has caused me the final disillusionment towards my friends.

EPRDF control, covers the woman activities, the anti red terror committee, the union of Ethiopian journalists a number of other interest and pressure groups.

I am not against any political group trying to get the support of interest and pressure groups. If this is done openly with clear understanding, without going behind the back of the ordinary rank and file members of these groups, it would have been alright. The problem in Ethiopia is that EPRDF does it underground and lies about its activities in public. It is controlling them in the Stalinist fashion. Waiting for order from the central command they have become incapable of independent actions. They are not evolving as the balance and check of the abuses of the state rather they act as an additional arm of the state's coercive force.

The best measure to check the improvement of human rights is not to compare how many were killed or imprisoned by the Mengistu's regime with that of President Meles regime. Though numbers do matter they should not be our end. How much, the potential for future human right abuses is curbed by a changed culture, by strengthened institutions that won't allow abuses. Not the rhetoric to the rule of law, to freedom of expression etc. . . ., but the concrete steps taken to make these ideals independent of the whims of (political) organization and individuals. This is the area I believe that the EPRDF is conning the international media and community. Unless the international community attempts to see beneath the surface and use its influence to stamp out any deviations it sees from the democratic path, it would leave the Ethiopian people in the hands of tyrants that will consolidate their power on moral, economic and political support they have been provided . . .

. . . Without a critical appraisal of the current government in Ethiopia simply to show what its predecessors did is to lend support to potentially dangerous regime. This critical appraisal demands not only information on number of dead bodies or those tortured or imprisoned by the current regime but an intimate and detail knowledge of the current political activities and thinking in Ethiopia. . . .

. . . I can understand why western governments support EPRDF. Might is right has always been the principle they base their foreign policy. EPRDF is the mightiest organization so it is natural to have good relation with it. Good for western interest. This have been the approach they adopted towards, Chile's Pinochet, Uganda's Amin, Somalia's Barre, The Shah of Iran and Haileselassie of Ethiopia. Knowing that all these regimes were dictatorial and undemocratic the west has been supplying them with military and economic assistance that made them last longer than they would have.

In the context of the cold war politics this was understandable. However, in the current international climate when those who wish to be tyrants have no one super power to play against another one, the western democracies are not properly using the new opportunity to influence third world countries to follow the democratic path. Even in places they have attempted to do this they seem to be quite happy only by the few democratic posturing which the leaders of the third world are quite good in producing for foreign relation consumption. I believe the media in the west should go beyond the western foreign policy makers and examine the true nature of the so called budding democracies in Africa and elsewhere. By doing this, one can contribute to an end of mass suffering that has become quite a way of life in countries like Ethiopia.

For fear of consuming much of your time I have not mentioned some very important economic and political problems that still bedevil Ethiopia.

The ethnicization of politics, How EPRDF is exploiting the liberalization of the economy to profit itself, nepotism and corruption in the new government and so forth."

As I saw it, this was the reality in Ethiopia in 1994. As we can see in the next few pages nothing seems to have changed at the eve of the 2005 election.

1994-2005

At the end of 1993 after having resigned from my post in Addis Ababa council and EPRDF, with a sense of being betrayed and afraid of the prospect of another round of dictatorial rule being imposed on the Ethiopia, I promised to my self that I must fight to the ideals that I believe will bring solutions to the problems of Ethiopia. Since I was convinced that with out a genuine process of democratization that it was easy slid back to tyranny, unrest and violence I focused my effort in writing and informing the public about the institution that are needed to safe guard human rights and democracy. In a number of articles I wrote for the privately owned news paper I argued that the public should organize in trade unions professional associations and other civic societies, pressure and interest groups. I gave a number of interviews to the Voice of America explaining the dangers that lay ahead in the face of the democratic aspirations of the Ethiopian people. In Ethiopia, it was unusual for a government official to resign and more unusual to openly criticize a ruling party. The specter of that I will be hurt or killed began to haunt my family. There were already signs of irritation from the government and a couple of mild warnings were delivered through friends. In the end when my mother who had been living in England had a brain hemorrhages and went to a comma I had to come out of Ethiopia to see her. Once I was out a clear message was transmitted that I can only go back to the country if I only choose to stay out of politics and any attempt to stir trouble. I began another round of life in exile.

Before 2005 I traveled to Ethiopia twice, in 1998 and 2003 both times I kept away from politics. At the end 2004 Dr Brehanou Nega, the first ever democratically elected mayor of Addis Ababa in the May 2005 election, who is know languishing in EPRDF prison, came to England to solicit support for Rainbow Ethiopia for Democracy and Social Justice. I knew him from the early days in our exile days in the Sudan before he was granted asylum to go and live in the US. His older Sister, Askale Nega, was a classmate of Meles Zenawi studying medicine at the University of Addis Ababa. I knew her well too. She paid the ultimate price in the struggle against the brutal military dictatorship of Mengistu Hailemariam. I am mentioning this to give the reader that unlike TPLF's misrepresentation that all those who opposed it's dictatorial rule are not x-Dergist with criminal records of involvement in the red terror. In fact as opposed to what Meles Zenawi claims, in the past fourteen years the intellectual and the moral challenge to his Stalinist rule had come not from those he had deposed from power, instead it is from people that had suffered

during the reign of terror of Mengistu Hailemariam. The strange thing is that it is us, who suffered most who are calling for reconciliation and forgiveness to give the nation a chance for a new beginning. The irony is that the TPLF, an organization that forced EPRP out of Tigray and in doing so killed a number of young men who took the mountains of Tigray as a refugee from the Dergue red terror has, in a strange way become the prosecutor of red-terror criminals.

JAN 2005–JULY 2005

In January 2005 I returned to Ethiopia to publish a book I had finished writing. The book titled “The liberator who has no notion of liberty” is on one hand a personal reflection on my involvement in politics; and on the other it is an attempt to explain the failures of the Ethiopian political elite to bring about change within a philosophical and cultural context. Dr Berhanou Nega read the book in its draft form before publication and decided that the book must be read by a lot of people. As my way support for the election effort I passed the legal right of the ownership of the book to Rainbow/CUD. I signed an agreement giving them the right to publish the book and use all the profit to support their organization.

In February I went back to England and returned to Addis in the middle of March 2005. This time I was back to support CUD election effort. After 12 years of absence from politics this was my first chance to look at the over all situation of the country. It was a good opportunity to examine the attitude both government and opposition had towards the election and the manner they will approach it. Later in a press release to the European parliament dated 22nd Sept 2005, which I drafted on behalf Ethiopians in Europe I stated:

“Fourteen years later, Ethiopians find themselves in the same age-old abject poverty. Standard of living has gone down instead of going up. Corruption in power and resources embezzlement had spread like gangrene. The right of citizens, though encoded within the constitution had no structural or institutional safe guard. The growth of independent judiciary, military and civilian bureaucracy is deliberately stunted. Civic institutions, professional association, trade unions other interest and pressure groups are not allowed to have an independent existence. They can only function as long as they are appendages to the ruling party. Yet such a government went on receiving all kinds of assistance from western governments. TPLF’s security forces, the police and the army are trained, equipped and financed by the west without any guarantee that both men and equipment will not be used to oppress the people of Ethiopia.

This was the backdrop on which the May 15th 2005 national election took place. For the ruling party this election was business as usual. There was no question of losing. It had the necessary safeguard and structure in place to prevent losing. The National Electoral Board (NEB) was its own creation. Its cadre structure both in the cities and rural areas is unmatched by any other political organization. The militia, the army, the police and security forces are under it’s command. The financial and material resources of the state are there to be used at will. The state owned and the only mass media in the country is there to churn out the ruling party’s election propaganda. The few minutes that were allocated to the opposition party for the purposes of political broadcast were infinitesimal compared to the vast remaining radio and television time available to the ruling party. So confident was the ruling party that it declared to the whole world to sit and watch the most “free and fair election” unfold in the history of Ethiopia or even of Africa. So confident it was it extended invitation to international observers to come over and witness the election in its entirety and make their own judgment. Europe and America duly sent their observers. At the same time, a large group of indigenous observers from various civic associations were told that they could not play a role in monitoring the election. The government knew too well that such a huge number of indigenous observers would be more effective in monitoring the election than outsiders with few men and scant knowledge of the country, hence the ban on civic organizations.

The opposition listed a number of facts that would not make the election a fair fight between them and the ruling party. The non-independence of any of the state’s institutions including the National Electoral Board was a cause of grave concern to the opposition. The opposition predicted intimidation of their candidates and supporters to ensue the moment election began and they feared that they would have no recourse to stop it. Their suspicion of electoral fraud and ballot rigging was high. The partisan nature of the election board gave them little confidence to the possibility of no such wrong doing unfolding.

However, strengthened by the unity they managed to foster amongst themselves before the election and encouraged by the presence of international observers, the opposition decided to participate in the May 15th 2005 election.

EPRDF government and the international community gave long odds to the opposition winning more than 50 seats out of the 574 up for grabs.

Election campaign began. The people's response to the campaign alarmed the ruling party and surprised the opposition. This election had come at a time when the anger and frustration that was simmering for the past 14 years had reached a boiling point. The people could not accept any more the ruling party officials claim they had brought peace, prosperity and democracy or as the only defenders of the nation's interest and security. What the opposition discussed in the election was what everyone was talking about away from the earshot of the government out of fear of persecution. The opposition dismantled all government propaganda and exposed it for what it was; an elaborate maze of lies. The opposition exposed the ruling party's dire records on democracy, justice, fighting corruption, poverty reduction, economic growth, and education policy and on a host of all other issues including national interest and security. Nationally organized debates, on television and radio, on these issues won the opposition the support of the Ethiopian people. The people refused to trust the government. Encouraged by the audacity of opposition party leaders to speak the unspeakable in public the population at large threw its' old garment of fear and begun to look forward with hope and anticipation. The only action left for the government was scare mongering, harassment, intimidation, killings and imprisonment of opposition members and supporters before the Election Day. Yet these measures were not effective as the public showed no fear and continued to participate in all opposition meetings and rallies. This gave great hope for the opposition and ill foreboding to the ruling party."

As a roving election observer for CUD in the city of Addis Ababa.

Again my analysis and observation of the election is put in the aforementioned press release and it runs as follows:

"On Election Day, people came out in unprecedented numbers. They queued up for long hours, without food, water and shelter under scorching sun and torrential downpour to cast their vote. By also keeping a close eye on the voting process at most polling stations, the public made it difficult for the ruling party to engage in ballot rigging. Up to this point in the election process, one can argue that the election process had been progressing without much controversy.

On election evening, May 15th 2005 when vote counting began it became apparent that the opposition was not only gaining ground but also it was actually heading for out and out right victory. This was the time that the ruling party moved to plan B. It instructed all officials throughout the country to stop the vote counting process. This instruction was implemented all over the country including Addis Ababa. This was done to allow TPLF to identify a large number of parliamentary constituencies, which it can safely retain by rigging the peoples vote. Rigging the votes in the main cities and towns under the glaring eyes of international observers and so many capable watchful eyes of the public was out of the question. It was also deemed impossible to rig the votes in places where the government big shots had competed; as those sites had attracted a large number of foreign observers and competent indigenous poll watchers. However, areas outside these two categories were identified and plans were put underway to steal votes in favour of the ruling party. Having calculated the number of safe seats and those seats, which can be rigged without attracting international and national attention, the ruling party declared, on the 16th of May 2005 that it had won 328 parliamentary seats. These were more than enough number of seats to continue its hold on power for the next 5 years. This announcement was, at the same time, accompanied with a declaration of a state of emergency. In Summary, the government banned civil liberties. In Addis Ababa and other cities and towns the right to assembly and organize rally and demonstration were forbidden. The people were told that all branches of the government's security forces had fallen under the direct command of Prime Minister Meles Zenawi. All these actions were taking place at a time when the vote counting process, at some of the districts of Addis Ababa and in more than 75% of the voting districts in the rest of the country, had not yet begun. All that was left for TPLF to do was to rig as many votes as possible and reach that magical number of 328 parliamentary seats.

In most of the cities and major towns, the opposition won hands down. In the capital city Addis Ababa, all the contested seats for the city council and the country's parliament went to the opposition. All the 23 parliamentary seats in Addis Ababa and the 166 seats out of the 168 city council seats were won by the opposition. This election fact showed the depth of political dissatisfaction that was prevalent in the capital. At the same time all notable government min-

isters and officials who ran in rural areas under the scrutiny of international observers lost. This curious fact had forced all astute poll watchers to ask an interesting question. How could a government, which had lost all seats in major cities and towns and had also failed in making its big party bosses, ministers and officials get elected in rural areas, come up with spectacular results using so many of its low ranking and most hated local cadres candidates. Without actually looking into the facts of vote rigging that took place all over the country and only from this observation one can easily reach at the conjecture that there must have taken place some kind of grand electoral engineering. Otherwise, it will be impossible to fathom the government claim that it had won so many of the rural seats to secure a majority in parliament. In a country like Ethiopia where cities and towns do greatly influence opinion in rural areas, it will be impossible to come up with such discordant results between cities and rural villages. It is almost impossible to believe that high-ranking government official failed to make it to parliament while a local village tyrant in the neighbouring rural constituency succeeded. This smelled electoral fraud at a large scale. In fact this is the claim of the people and the opposition party. They have tons of evidences and large number of witnesses to prove their case.

Now, on the one hand the opposition parties and the vast majority of the electorate that had given them their votes are lined up together to prevent the robbing of the people's vote by the ruling party. On the other hand, the ruling party who had no inkling of the bitterness the public had towards its rule prior to this election has not recovered from the punishment it received at the hands of the public. It has no confidence that it can recover as a political party through a democratic process. As a result the ruling party is determined to stay in power by legitimizing the stolen vote through the approval of the fraudulent NEB. Any electoral complaint that is not accepted by the NEB or any opposition to NEB's declared election results were deemed unconstitutional hence punishable by brute force. In relation to the June 8th 2005 spontaneous protest against vote rigging, forty-two innocent civilians were gunned down in cold blood and thousands of opposition supporters ended up in jail."

I ended up, as one of those thousands of opposition supporters that were rounded up beaten and dumped at Zewai concentration camp.

June 8th human right abuse: imprisonment and beating.

Before I move to tell my story on what happened to me on June the 8th and subsequent days that I spend in Zeway concentration camp, I want to put the record straight by tackling EPRDF's misrepresentation of the role of CUD in the June 8 protest. CUD had nothing to do with this protest. It did not instigate it; it never wanted it to take place. I know this because I was at the CUD office at the eve of the protest. I had answered hundreds of telephone call inquiring about a flyer that was calling the public for a strike against the imprisonment and the killing of university students. I was told by the callers that the flyer did not contain the name of the organisation that put it out in the street. The office telephone was busy telling the public that CUD had not called for a strike and advising the public not to participate in it. The situation worried the CUD leadership so much that it was decided that an immediate press release should come out to warn the dangers contained in the called protest. I was the person who wrote the press release. This was faxed to the VOA and to The Voice of Germany. Dr Berhanou Nega gave an interview to the voice of America on the issue. Our request to transmit the message through the government controlled radio and television station was denied. The written statement that was sent had not been read.

The next day the protest, that could have been avoided had the government allowed for CUD to use the media to address the public, took place. In the afternoon of June 8, the day of the protest three security men with civilian closing and three soldiers carrying Ak47 machine gun jumped over the wall and came inside the compounds of my fathers place where I was staying. It was clear who they were looking for. I recognised one of them because I see him often following me around in the city. I was hit with a long stick and was ordered to go to the room where I had my belongings. As I complained that it was illegal to hit a person who was not showing resistance, one of the security men loudly said that they were given orders to beat me. This was uttered in front of my father, kids and the neighbours. All my belongings, laptop ,digital camera, mobile phone, credit cards, driving licence hundreds of British pounds and hundreds of Ethiopian Birr, and other personal possessions were taken. In fact robbing citizens in the name house to house search has become a norm. Many have lost their life time savings in this manner. I never saw my possessions again. In fact until I left the country no one knew who has it.

Unlike other prisoners that were detained and kept in the nearest police station to where they live, I was taken away to another locality and put with some 700 other prisoners that were rounded up the same day. Everyone that was brought to the police station had to be registered by giving his name and most importantly his ethnic origin. At about 8 .00 pm in the evening about five Tigrinya speaking federal police officers came and told me to move to the edge where the rest of the prisoners were sitting. Without any warning, screaming degrading obscenities they start hitting me with there fists, there boots and sticks. I knew they had there orders. In the middle of the mindless beating I saw a rifle but coming to my face. I must have passed out. When I woke up I found myself on my back lying on the ground. Every part of my body had received beatings. The rest of the prisoners tried to comfort me .By now it was late and the temperature had gone down. I had only a short sleeve jacket. I began to shiver badly. The prisoners huddle around me to give me heat and put me in the middle to protect me from the cold breeze. At about 2.00 am we were told to sit up and listen. I could not. They called names, within a minute what they were to do was clear. They called the names of sixty to seventy individuals. More than the majority of the names were clearly identifiable Tigrinian names. There was no need to doubt ourselves about the identity of these individuals. Then and there the officer addressed them in Tigrinya language. In fact the federal police officer was using the police book where the prisoners' ethnic origin was entered. Before the rest of us were transported to Zewai concentration camp, those whose names were called were set free. We began to sense a strange ethnic bias to all the activities we saw around us. The truck that was used to transport us and the drivers were supplied by well known construction companies owned by Trigrams contractors. Those who incessantly beat prisoners loading them like cattle on the truck were cracking jokes in the Tigrinya language. Those who sat on the top the truck wielding their machine guns were all had come from the same ethnic group. Even in Zewaye the head of the concentration camp and all those who were responsible to guard us were from one Ethnic group. The realisation of this fact had convinced me why the ruling party was willing to bring in the Rwandan experience during the election debate and began scare mongering. In fact I recall EPRDF was reprimanded by the European election observers for using hate speech. I remember EPRDF officials publicly saying that there will be genocide should the opposition win. At the time we did not understand that it was the government that was planning to commit such atrocity. More than any thing that happened to me I was incensed by the government deliberate attempt to give the problem an ethnic colouring. After my release in July I was adamant that the truth must be told. However the CUD leadership that is now languishing in prison accused of trumped up charges of genocide and treason were clear that nothing of the details stated above should be made public.

Instead in the statement titled *"June 8th—Blatent disregard for the rule of law, gross violation of human rights and political repression. A Joint statement by CUD members who were taken prisoners."*

The following is the manner in which this sordid affair was dealt. In item 4 of the statement we find:

"4—More than anything else what was frightening was the ruling party's deliberate and systematic attempt to sow seeds of ethnic strife and animosity among communities of the city. What we witnessed has for the first time revealed to us why the ruling party was so keen to use the word *interhamway* during the election period. What was perpetrated on that dark day was designed to engender a Rwanda-style ethnic strife. However the people of the city who had hitherto endured years of collective suffering that was imposed on them by successive corrupt and dictatorial regimes did not fall unto the trap that was laid for them by the ruling party. Due to the foresight and wisdom of the citizens of Addis Ababa, this evil wish of the few did not manage to prevail over the goodness of the many. It is apparent to us that the whole operation was managed by a small gang of individuals who are organized along ethnic lines within the state complete with their command structure and organization within the police the security and the armed forces. This group seems to have no limit neither to its freedom of action nor any control and accountability to any legal body.

To give details of the crimes that were committed by the terror gangster, along their *interhamway* line of thinking would be playing into their hands. In general we can say it was a mindless act by a desperate group of personalities determined to cling to power and privilege at whatever cost. This includes creating a situation whereby ethnic hatred and conflict among the various communities of the city's populace become realities."

Since I myself am accused of genocide in absentia I see no reason why I should not put my accusers on the dock for their shameless fabrication of these charges against me and the leaders of my organization who behaved impeccably throughout the election period and beyond.

In Zeway concentration camp alone there were some five thousands prisoners. Prisoners were openly beaten were forced to go through degrading treatment. Except half a dozen of us who were kept in custody in a separate prison cell, myself and the lawyers from the Ethiopian Human Right Council, the rest of the prisoners were forced to dry shave their heads with common razor blade. With the HIV-AID epidemic in the country it is not difficult to know why this is being done. A lot contracted malaria including myself and suffered from lack of medication. One prisoner committed suicide. There were those who wounded with gunshot and had to go without medication and even without ordinary pain killers. My eye bled for days for the rifle but hit I received. Ultimately worried that I may get blind I was offered treatment by the prison nurses and doctors who were kind to us whenever they got the opportunity to help. Till this day I see continuous sparks flashes from the left eye that received the hit.

As I had checked in the prison camp the overwhelming majority of the people that were taken prisoners on June 8th were dragged out of their places of work or residence. In the Zeway concentration camp alone, where there were 4960 prisoners only few of them were actually captured in the streets where the alleged trouble had taken place. The rest were victims of deliberate and targeted imprisonment. Our findings have revealed that 95 percent of the prisoners had, in one way or another, links with CUD. They were either supporters or members of CUD. Their only crime was participating in CUD's successful election campaign in Addis Ababa.

After a month in prison, as a result of the deal struck by the opposition and the government most of the prisoners were released. Though reluctant in the end, without being formally charged, I appeared before a court and was asked to pay 2000 Ethiopian birr bail and was released with the remaining few prisoners. For nearly three weeks no one was allowed to visit us. In my case my brother, who has a British citizenship, and who came all the way from England to visit me were ordered to get out of the country in 24 hours.

Election disputes and CUD attempts for negotiating settlement.

"The opposition parties true to their words committed themselves to the peaceful and legal resolution of all electoral disputes. They appealed to the angry public to be calm and promised to use all legal and peaceful means to make the public's vote count. They went back again to the NEB and requested for an investigation into the controversial electoral process in nearly 300 political constituencies. The government with full confidence that the NEB will not let it down agreed to the investigation and signed with the opposition a document which will enable the creation of a conducive climate for the investigation process to proceed. The expected conducive climate had never been created. Intimidation, killings and imprisonment of witnesses by government officials and security forces kept on unabated. The investigation panel, which had three members, one each from the opposition, the ruling party and the NEB became, due to the naked partisanship of the NEB, a vehicle for the implementation of the will of the ruling party. In a two to one majority that was in built within the panel almost all decisions were made in favour of TPLF. The ruling party, which had all the structure and the means to stop any vote rigging by the opposition, became the number one beneficiary of the complaint-investigating panel's decision. Using the same two to one decision making process, the investigation panel upheld all cases of complaint by TPLF and rejected almost all the 300 cases which were put to it by the opposition. Thus clearing the ground for re-election to take place in all rural constituencies where most government ministers and high official had failed to secure a win. The whole idea of the investigation became a sham. The collaboration between NEB and TPLF became apparent. Even before the whole process was over, those international observers who were invited to witness its progress had expressed their dismay at what they saw at every instances of the investigation.

The opposition had exhausted every legal and peaceful means save engaging in large actions of non-violent resistance. The ruling party that had no desire and preparedness to relinquish power through democratic process has warned that it will use all its might against any one engaging in any form of protest.

Once again the opposition, which is the outright winner of the election, proposed the setting up of a joint government in the name of national unity and reconciliation. The opposition party hoped that this would help to break the political impasse and provide a face saving leeway for the wounded ruling party.

Typical of all dictatorial regimes, the government interpreted the opposition's proposal as a sign of weakness and rejected the compromise. Since, the government has gone ahead and intensified its harassment of opposition leaders and supporters. Large number of citizens whose only crime is to exercise their democratic rights in support of the opposition party are beaten and excluded from receiving services and benefits all over the country. The situation is far worse in the rural areas than it is in the cities."

CUD a formidable partner for building a democratic order, and to bring peace and stability in Ethiopia. The donors' response that baffled the people of Ethiopia.

"In all this, and once again the position that the international community took had disappointed Ethiopians. The countries that had the ears of the ruling party did nothing to condemn its actions. Apart from expressing their concern for the recent human rights violation, nothing strong came out from the international community to tell the government in power to respect the democratic will of the people. The soft approaches by the international communities have given an implicit green light for the government to continue with its determination to hang on to power by all foul means. .

For the first time in their history, Ethiopians have voted under difficult conditions for an opposition that had a clear commitment to democracy, justice and freedom. They have an opposition, which promises to build on what is already achieved by its predecessors rather than engage in wanton destruction. The opposition had clearly professed the need to be inclusive and not demonize those who have lost power. Continuity, inclusiveness and stability are key words that one often heard during the election campaigns and read in the election manifesto of the opposition. Preserving the military and the civilian bureaucracy without much disruption is part of the plan to ensure the said continuity and stability. The opposition had committed itself to work for the separation of power within the state, to liberalize the media, to broaden the rights and liberties of individuals and groups, to safeguard the rights of minorities, the weak and the disadvantaged. It is the will of the opposition to bring about genuine equality between ethnic groups, creeds and sexes. In all, the opposition is clearly the only political group that has a political, economic and social agenda that will facilitate the development of Ethiopia within the framework of liberal democracy. This is a total contrast to TPLF's revolutionary democracy, which is clearly designed to cling to its Stalinist legacy. The opposition party's commitment to democracy is generated by seriously assessing the country's past. It is a commitment that has sprung out of the pain and the suffering of the great people of Ethiopia. It is not a drama enacted to please the donor countries. This is what makes the opposition a formidable partner that one can work with so that Ethiopia could achieve lasting peace and stability, sustainable economic development and an overall democratization of its political system.

Ethiopians see no reason why the opposition cannot be trusted or is not seen to be more capable than the Stalinist government that is masquerading itself as democratic. It will be strange to give the benefit of doubt to the ruling party whose democratic pretences and claims had disappeared with the massive electoral fraud it committed, while at the same time denying it to those who have a serious commitment to democracy."

Stand off. July to October.

In the middle of July I got out of the country. When I made my way to the airport I did not have any faith that I will make it. The next day the news paper IFTIN, that claims to be independent but actually is the mouth piece of the security services and is funded by them published a statement from the police. The police said that I had got out of the country with their full knowledge. They could have arrested me but could not do it because the court order that they were waiting for did not come in time. Thus in order to abide by the constitution they had to let me go." The statement promised that they will be using the Interpol to bring me back to the country to face justice." Of course this was a big joke. As I later found out the person who made it possible for me to escape was the person who was in charge of airport security. I am informed from a reliable source that he is now languishing in prison.

When I left Ethiopia the line was being drawn. The opposition has given one concession after another but the ruling party were not interested for a negotiated settlement. The people were not willing to relinquish their hard fought rights to be administered by those they elected. The government had made up its mind to stay in power at whatever cost. Once again in the letter mentioned above I wrote

“It is obvious for all to see that Ethiopians are no longer in fear of the government. They are ready for democracy and have demanded it in this election. They are committed not to be ruled by dictators any more. In town hall meetings being held in the past few weeks, the public has been strongly expressing its resolve. Not to be intimidated and concede to the ruling party. The people want the opposition not to go to parliament until the election has been fairly assessed. The dictators on the other hand are bent to remain in power at any cost. This makes the situation in Ethiopia very dangerous.”

In September with trepidation to the likelihood that the ruling party would go on in using brute force to break the stand off Ethiopian Europe made a desperate plea for the democratic world to stand with the Ethiopian people. We put our Questions both to The EU and The Us administration.

“Once again Ethiopians have come to ask what position that all freedom loving nations will take in this confrontation. What will be the position of the USA and the European Union?

Will they ignore the credible reports of their envoys and appease dictators in Ethiopia simply because they have the might to serve their short-term interests?

Will there be a realization that only a democratic, prospering and peaceful country is the only guarantee against the rise of any form of extremism?

Will they back the millions of Ethiopians who have shown incredible courage, insight and patience to turn their country into a genuine democracy?

Will Ethiopians be helped to take themselves out of tyranny and poverty and become a model of democracy and good governance to all nations in Africa, as they were beacons of freedom during the era of colonialism?”

October–November. CUD still trying to find a peaceful solution to the election dispute.

In September the ruling party with out giving a scant attention to the protestation of the opposition went ahead with full steam to declare the opening of the parliament and to give legitimacy to Meles Zenawi continuance in power for another five years. For the sake of peace and stability and to avert great disaster CUD came up with a solution to solve the dispute. CUD dropped its demand for a proper investigation into the electoral fraud that took place in the 299 constituencies. CUD took the higher and the visionary high ground and declared that the issue must not be who is in power. As long as there is an agreement to take measures to consolidate and entrench the gains of the may 2005 election CUD declared all other issues will be less important. To come out in the open and in the face of a hostile public that is 100% certain that the election was rigged, and talk about the process of entrenching democracy not the removal of an illegitimate government was not an easy task. It did show that CUD had capable leadership that can make difficult decision. However one thing CUD could not do was to go and join a parliament that was set up on votes robbed from the people, a parliament that has changed all the rules of engagement to make all opposition ineffective, a parliament that does not have the right institutions to safeguard the constitutional rights of the people. In fact CUD did not dismiss the idea of taking its seat in parliament. Specially those within the leadership that understood the savage nature of the ruling party did argue for the case to fighting from the inside. The problem was that the public that was willing to trade of its stolen vote for concrete gains such as new election board, free media, independent judiciary, army and police force and a change in the rules of parliament to allow effective opposition was not willing to listen to the idea of joining parliament without a concession from the ruling party. For CUD to by pass the swell of opinion within the public and declare the joining of parliament would have been signing its own death warrant as an organization. This assessment proved to be right. When CUD opened a discussion forum on the issue of joining parliament the public at large gave a resounding no to the proposed idea. The only solution that was left to make the ruling party understand the gravity of the situation was to show the public resentment in public. October 2 a major rally to protest at ruling party's intransigence was called in Addis. Though the peaceful rally that was called for October 2 was within the constitutional right of the people, EPRDF threatened to use brute force to crash it. On September 29 2005 Ethiopians in Great Britain were so worried about the planed demonstration we wrote a letter of urgent appeal to Britain PM Blair,

“The cause for the current heightened tension, as you are well informed, is still the ongoing election dispute between the ruling party and the opposition. The opposition having tried and failed to bring the ruling party to the negotiating table, in order to resolve amicably all election related outstanding issues,

has decided to take its protest to the rigged election to the streets. The opposition and the millions of Ethiopians who gave the election their support want to tell the ruling party and the world that their vote should count. They are also willing to pay the necessary sacrifice for the establishment of a democratic political order in Ethiopia.

The first of these planned protests will take place on 2nd October 2005. The opposition has called rallies and demonstrations in the capital city Addis Ababa and other major cities in Ethiopia. Simultaneously, Ethiopians in the Diaspora will hold similar rallies all over the world, including here in London.

The government of Ethiopia has declared that the October 2nd demonstration is illegal and has promised to crash such protest by brute force. The crackdown has already begun. In the past two days alone hundreds of opposition leaders and supporters have been rounded up and thrown into jails all over the country. Soon, this number will rise to tens of thousands.

The endless announcements, declarations and interviews that are being put out daily on the state owned media are full of threats containing the government's intention to use violence against any one who will join the peaceful protests. On the other hand, it has become apparent such threats will not deter the determined people of Ethiopia from coming out in their millions to demand that their vote must count.

As a result, the current situation in Ethiopia has become very volatile. The government's record on violating human rights gives us serious cause for concern. It looks that once again mass imprisonments and killings are on the government's agenda. If this is allowed to happen the country can easily slide into total chaos. The potential for massive loss of lives, major social disorder and destabilisation is more than real.

Your Excellency, we Ethiopians in the Diaspora believe that the main reason that has made the ruling party so belligerent and extra keen in sabre rattling is the fact that it has not been made to account for past human right abuses, including the recent murder of over 42 innocent citizens in cold blood. The promised independent investigations by the state were only announced to abate the fury of your government and others, not for a reason to bring the killers to justice. Now, the whole idea of investigation has been conveniently pushed under the carpet.

Similarly, the absence of persistent diplomatic pressure against human right abuse, the reluctance of your government to support the opposition demand for a national unity government as a way forward to resolve election related disputes and the endorsement of grossly rigged election result by donor countries has been interpreted by the ruling party that there is still more scope for more abuse and the use of force against citizens who question the legitimacy of its continuance in power. So far, the regime in Addis Ababa has got away with murder. Now, it believes it can get away with genocide.

Your Excellency, this is not wild foreboding on our part. Ethiopians have lived under tyranny long enough. They know how tyrannical regimes sound and act. All information that is coming out of Ethiopia shows that the government in power has actually completed its preparation, both physically and mentally, to commit heinous crimes against the people of Ethiopia. The military which has forged close relationship with the U.S army and the police and the security forces that are trained and equipped at the expenses of British tax payers money are on stand by to trample the democratic and constitutional rights of the people. Under Meles Zenawi, Ethiopia is still a country where a simple demand to protest peacefully against the injustice of election could trigger the wrath of its rulers.

We sincerely believe that current political problem in Ethiopia is not caused by the fact that our country is "an emerging democracy". It did not come about because we Ethiopians do not understand the meaning of freedom and democracy as the people of the developed world. We cannot stress enough how much, attempts to explain away the country's predicament in such terms, has become so offensive to the poor but proud people of Ethiopia. Your Excellency, Ethiopians' political maturity and readiness for democracy had been amply displayed by the manner in which they conducted themselves on May 15, 2005 general election. In fact, Ethiopians actually believe what stands between their democratic aspiration and its realisation is the government of Meles Zenawi. That is why Ethiopians are baffled why a democratic country like Britain, which spends so much of its wealth and the lives of its brave soldiers in defence of democracy in far away places, has been supporting the government of Ethiopia whose ideological roots are still stuck in Stalinist totalitarianism."

Again for the sake of not endangering life CUD withdrew its call for the street protest. Instead it called a sit in strike. The government that knew too well that the sit in strike called by CUD will be observed religiously by the people, finally relented. Using the foreign embassies as a medium, the ruling party offered to talk with out other preconditions except recalling the sit in strike. Once the strike was called off and the government had completed its preparation for the use large scale brute force, it refused to talk. It became apparent, apart from stalling and time buying the ruling party had no interest to discuss in good faith.

The failure of the talks pushed CUD to take a stand whether to join parliament or not. It put 8 pre-conditions that should be met for CUD to join parliament. Apart from the one condition that demanded the setting up of an independent investigating body to look into the June 8 killings of the innocents the rest were essential for the entrenchment of the democratic process. The followings is the list of the remaining pre-conditions

- The Election Board needs to be restructured and be able to operate independently
- All forms of media should be free and available to all political parties
- The legal system must be able to operate independently without any coercion from the ruling party.
- Ensure the police and armed forces do not get involved in politics and take sides.
- Recent laws that have been passed at the concluding sessions of the last Parliament that deal with parliamentary procedures and governance of the City of Addis Ababa should be rescinded.
- All political prisoners should be released, and opposition party offices that had been closed should be opened.
- Establish an independent commission that is acceptable to all parties, to follow up that the above mentioned issues are resolved on a timely manner.

These demands set the most rudimentary conditions necessary for any parliamentary democracy to be functional.

EPRDF completely disregarded CUD's request for negotiating on these pre conditions and set its parliament on stolen vote. The first duty of the parliament became revoking the legal immunity of CUD elects and raised the stake for confrontation.

November: Mass killing and Imprisonment: The reign of terror. The response of the international community.

Looking at the magnitude of the crime committed against humanity by the government of Meles Zenawi. Once again, on Dec 9 2005 on behalf of Ethiopians in Europe, I wrote to Prime Minister Tony Blair. Although this letter is addressed to Tony Blair, it also contains our plea and concern to the US government.

"The mass killing and imprisonment that we feared has unfolded. Since the beginning of November 2005, hundreds have died and nearly 100,000 people are detained including the leaders of the opposition party CUDP. All journalists that worked for the fledgling free press are behind bars. Free press is suppressed. A silent and sinister genocide is taking place. The government may not be using machetes or bullets but they are killing by other means. According to an Ethiopian medical doctor who witnessed the horror, the heads of 40 inmates at a time are shaved with one razor blade. Given the prevalence of HIV in Ethiopia, this is a way of intentionally spreading the virus amongst supporters of the opposition.

The magnitude of the recent human right abuses committed by Meles Zenawi's government has begun to horrify the world. All credible media outlets including Channel 4, The Observer, the New York Times, The Washington post, The Times, The New statesman and others have been reporting details of the human rights abuses in Ethiopia. The Commission of The African Union has become the latest institution to openly express its horror to what is happening in Ethiopia. What is puzzling to the Ethiopian people, who took so much of their inspiration to build a democratic country from your Excellency's pronouncements and declarations, is the silence of the government of United Kingdom in the face of well-publicised atrocities.

Your Excellency, knowing that he has no popular support in the country Mr Zenawi has, long ago, realised that his political fortune is tied to his unchecked ability to use force against the citizens of Ethiopia. He has also realised that he can not sustain a large army and security force that will do his bidding of terror without the financial and technical backing of Western governments. Mr

Zenawi's pretence to be a democrat while remaining true to his belief in Stalinism and his claim to be a true ally in the war against terror was cynical manoeuvring in order to achieve support from the west and to prolong his undeserving continuance in power. Now the mask of the democrat has gone. The true tyrannical face of Meles Zenawi has revealed itself to the world. What remains is for the world to realise that Meles' stance on the war on terror is also a sham.

Mr Zenawi's government does not share the values of democracy and liberty that your government is so doggedly trying to defend against extremism and fanaticism. If that were not the case, he would not have been so keen to suppress Ethiopians and the opposition leaders, whose only crime is the aspiration to live under such values. In fact, we believe that, unlike Meles Zenawi, who has become the ambassador for anti-terrorism in the horn of Africa, (as a result of his own sinister motives), the Ethiopian people and the opposition have better claim and credential in their belief in the virtues of democracy and liberty and their commitment to defend these values. Thus, there is no reason why the Ethiopian people and their new leaders cannot be trusted to be more reliable and a lasting defence against terrorism in their own country and around the horn. This is why we have been arguing that it is a grave mistake to support Meles Zenawi at the expenses of the rights, the welfare and wellbeing of the Ethiopian people. Such a policy is not only hurtful to Ethiopians and immoral and undemocratic on its own merit but ultimately it will be damaging to the long-term national interest of Britain itself.

Your Excellency, Meles Zenawi's government has proved to the Ethiopian People and to your government and to all freedom loving people in the world that it is untrustworthy. His rejection of democracy and the rule of law have proved this fact beyond any doubt. It will not be that long before Meles begins to laugh at the very idea that you have trusted him as an ally.

We Ethiopians still remember Meles' lamenting because the cold war has ended. After seizing power, in the first annual congress of his organisation he had openly regretted that there were no longer two super powers in the world. He had said, *"had there been two super powers he would have played one against another and would have been able to translate his organisation's Stalinist dream"* into practice. One can imagine the joy in Meles' palace in Addis Ababa at the realization that he can still impose Pol Pot style of government on the people of Ethiopia without facing serious challenge from Britain and the US.

Having said this it is frightening to hear Meles Zenawi still talking about his friends in Europe and the US. He seems confident that whatever crime he may commit against his own people that he will not incur, as Mugabe or Museveni do, the wrath of Britain and US. We Ethiopians wonder what will be the threshold of crime that should be reached by this person for your government to say enough is enough. For the people of Ethiopia who have been the direct recipient of the terror dished out by Mr. Zenawi's government that threshold had been passed a long time ago. We urge you to empathise with the people of Ethiopia and share our pain and sorrow."

A deep sense of betrayal

It is true that the US and Britain has done a lot and are trying to do more to resolve the crisis in Ethiopia. Yet when one considers the size of the electoral fraud and the horrifying human right abuse that took place in Ethiopia one can not help asking why so little has been said and done to so much injustice and crime. Ethiopians went to the poll not by trusting Meles Zenawi. During the Election a poor farmer in Wolo, northern Ethiopia asked one of the campaigners what guarantees he has against EPRDF refusing to leave office if it loses the election. The reply the campaigner gave to the farmer was that the Americans will not allow it. The campaigner is now in prison accused of trumped up charges of treason and genocide, with a possible death sentence if found guilty. It looks the Meles Zenawi must have heard this tale when he snarled in parliament and said that he has told the CUD officials in prison that no white man nor Ethiopian will be able to save them.

We know that the US foreign policy is determined by its national interest. Yet what baffled Ethiopians is how can the most unpopular regime in the history of Ethiopia that has no other choice save to stay in power by brute force will be able to defend the US interest in the years to come.

In another letter written to PM Blair, on November 25, Ethiopians in UK have seriously questioned the current foreign policy on Ethiopia. We sense the current UK foreign policy on Ethiopia will end up being detrimental to the long term national interest of both nations. The following is what is contained in the Letter:

"We know what yours and the US government interest in Ethiopia are. You believe Meles is your man for the war against terror around the horn of Africa. Yet there is ample evidence in the history of diplomacy that you cannot fight evil-by-evil means. Sacrificing the just cause of Ethiopians for freedom and democracy in the name of national security or interest and standing along side a tyrant is not a panacea to stop the spread of extremism or terrorism.

The faith of the people of Ethiopia in peaceful political struggle is shaken. More than anything else what shook their confidence is the reluctance of the two most important countries, US and Britain, refusal to stand by them in their struggle for freedom and democracy. If the situation in Ethiopia convinces most people—and it will convince unless the US and Britain use their influence to put pressure on Meles Zenawi to stop terrorizing citizens—that the only way out of the tyranny of Meles Zenawi is through political violence, it is not only Ethiopians but the west also that has interest in the stability of the horn will be losing. If we can not hold your government to honour its pledge that it will use the principles of democracy and good governance as the guiding principles in your government's relation with other governments in Africa, we still want to point out that your government's position on Ethiopia is counter productive and damaging to the national interest of Britain that we all want to protect. This we believe should be strong enough reason for distancing your government from the government of Meles Zenawi."

The current trouble in Ethiopia and HR4423

The bill has properly identified the basic structural defects of the democratization process in Ethiopia. What the May 2005 election revealed as weaknesses in the democratization process and what the bill identified are the same problems. These defects are the ones that were presented by CUD as a pre condition to go to parliament. This shows that the bill has its root in the reality of Ethiopia. All the independent institutions enumerated in the bill are essential to all democracies to function properly. As suggested in the bill there is a need to invest both in the infrastructure and capacity building in terms of personnel training. All the rules and regulations that are proposed are undeniably essential for parliamentary democracy to flourish. However with out a radical change of policy that can bring a voluntary or involuntary change of attitude from the status quo in Ethiopia none of the good ideas will do any good. If there is not the political will to allow a properly trained soldier, police officer or judge to operate freely according to the expensive training it has received, all investment in this area will be wasted. A good example in case is the British trained the federal police force. Whatever training the British might have given the federal police it has ended up being the right arm of the ruling party, the worst abuser of human rights.

CUD as a political party, due to its commitment to the division of the power of the state and its belief in developing independent institution to safeguard human and democratic right, will be a willing partner to see the objectives of this bill are translated into reality. However EPRDF with its ideologically inbuilt resistance to all liberal values will not be at all interested in the proposal that will ultimately be instruments for its removal from power. I feel the problem with the bill is that it doesn't wave a heavy stick to coerce EPRDF to come half way and share the responsibility of building democratic institutions with the opposition that is positively disposed.

While the leaders of most important opposition group, CUD that is committed to the values contained in the bill are languishing in jail, it will be difficult to imagine how the ideas of the bill can take off. In my opinion the most serious problem with the bill is located at the paragraphs where it calls a speedy trial of prisoners. The assumption that there is a court in Ethiopia that can freely try political prisoners is utterly wrong. In the absence of independent judiciary the best way out of the current trouble is to request not a speedy trial but to demand an unconditional and immediate release of all political prisoners. This should be put as the litmus test to the ruling party willingness that it has a genuine desire to start negotiation. If it is not willing to do this the US government should take a serious measure to show its unhappiness. The key to the current impasse is the release of political prisoners. One can not bypass this issue and talk about the democratization process in Ethiopia.

Another important point in the bill that needs a serious look is the suggestion that CUD should take its place within the parliament. In my view this is not an important point. In my view CUD decision not to join parliament was worked out on right principles and reasoning. In fact one should not forget that it is perfectly feasible to be a partner in building democratic institution with out actually being in parliament. If CUD feels comfortable with the state of the parliament it can join

it. However being in parliament is not a necessary condition for actively participating in building durable democratic institutions.

RESPONSES FROM THE HONORABLE DONALD Y. YAMAMOTO, DEPUTY ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE DONALD M. PAYNE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Question:

The Ethiopia Consolidation Act HR 4423 would require USAID to re-write its development plan for Ethiopia. How would this requirement impact current US assistance programs? What development assistance programs may be eliminated as a result of this legislation?

Response:

For FY 2007, the U.S. Embassy and USAID Mission in Ethiopia will be one of 35 countries to draft a joint country operational plan following guidance laid out by the Director of Foreign Assistance (DFA). The country operational plan will outline in detail the way that U.S. government foreign assistance programs in Ethiopia will contribute to reaching the Secretary of State's transformational development goal: "Helping to build and sustain democratic, well-governed states that will respond to the needs of their people and conduct themselves responsibly in the international system." To achieve this goal, country operational plans will explain activities that address the objectives of achieving peace and security, governing justly and democratically, investing in people, engendering economic growth and, where applicable, supplying humanitarian assistance.

The transformational development goal and supporting objectives are part of the new country-level foreign assistance framework aimed at aligning foreign assistance programs with foreign assistance policy priorities. Under the new framework, countries will be categorized according to their common security, governance, economic, and social characteristics. Programs and activities will be developed and tracked around a set of common indicators and objectives that link directly to foreign policy of the United States government.

As the guidance for the country operational plans has not been finalized, we cannot yet assess the impact of HR 4423 on the strategic alignment of foreign assistance under this new system. Once Ethiopia's country operational plan is submitted, the State Department and USAID fully intend to share with Congress the direction the plan is taking and how we will account for the results and funding.

Question:

To what extent have Ethiopian Americans influenced the political environment in Ethiopia? How can the federal government better coordinate with Ethiopian Americans to nurture peace and economic growth in Ethiopia?

Response:

Ethiopian-Americans have had a very strong influence over the political environment in Ethiopia. As significant contributors to Ethiopian political campaigns, Ethiopians in the diaspora often have a much greater access to, and influence over, the positions of political candidates and leaders than do Ethiopians living in Ethiopia. Unfortunately, by not living in the environment about which they are debating, some Ethiopian expatriates often push for very strong, hard-line positions without having to factor in what is achievable, the needs and/or desires of other constituents living in Ethiopia who must live with the impacts and consequences of policy positions, or adequately acknowledging the very real need for political compromise which a democratic system requires. While these factors within a politically dynamic diaspora population led to a very robust and forward-leaning political campaign process that pressed forward for democratic advances and active civic participation, they also contributed to the prevailing environment of intolerance, rejection of electoral results, and an adamant unwillingness to compromise in the post-election period.

The Administration has maintained open communication with Ethiopian-Americans regarding political developments in Ethiopia. Unfortunately, these discussions have not always been positive. Some elements of the diaspora community seem more interested in confrontation than a dialogue to seek practicable solutions to address grievances. The Administration has identified and engaged with more moderate elements within the Ethiopian American community, as well as Ethiopian stakeholders in Ethiopia, who are willing to support dialogue and identify political compromises by sides for the good of the people of Ethiopia. These entities are those

on which the U.S. government should continue to focus our support to nurture peace and economic growth in Ethiopia.

